



NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microfilm Publication M1650

**APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS,
MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE
FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896**

Roll 41

Cherokee Applications 3236 - 3357

**The National Archives
National Archives and Records Administration
Washington: 1992**

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

On the 54 rolls of this microfilm publication, M1650, are reproduced applications for enrollment in the Five Civilized Tribes under the act of June 10, 1896. These applications, housed in the National Archives-Southwest Region, Fort Worth, Texas, were maintained by the Muskogee Area Office and are part of Records of the Bureau of Indian Affairs, Record Group 75.

Background

On March 3, 1893, Congress authorized the establishment of a commission to negotiate agreements with each of the Five Civilized Tribes--Cherokee, Chickasaw, Choctaw, Creek, and Seminole. The Dawes Commission, named for its chairman, Senator Henry Dawes of Massachusetts, undertook the compilation of a complete Indian census that could be used as the basis for the allotment of tribal lands to individual Indians.

Prior to 1896, the tribes exercised sole jurisdiction over tribal citizenship, but in that year Congress passed an act allowing the Commission to hear and "determine the applications of all persons who may apply to them for citizenship and...determine the right of such applicant to be admitted and enrolled." The Dawes Commission issued notices on July 8, 1896, announcing that it would accept applications for citizenship until September 10, 1896. The application had to be a signed and sworn statement containing all the facts supporting the claim, and the applicant had to provide proof that a copy had been furnished to the tribal chief. Congress required the Commission to make its decision within 90 days of receipt of the application and authorized an appeal process through the recently established U. S. Court in Indian Territory.

The application and appeal process had been underway for two years when Congress passed the Curtis Act on June 28, 1898, (30 Stat. 495). The act authorized the Commission to prepare for each tribe new citizenship rolls that incorporated names

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of successful applicants. This "Final Roll" became the only roll used for allotment purposes.

Records Description

This microfilm publication comprises the applications for enrollment of Cherokees, Chickasaws, Choctaws, and Creeks, as well as those of former slaves (freedmen) of the Chickasaw and Choctaw tribes. The National Archives has not located any Seminole applications. Applicants to the Commission included Indians by blood; spouses of Indians, although the spouses themselves were not Indians by blood; and freedmen who had formerly belonged to members of the Five Civilized Tribes.

When they were in active use, most applications were filed numerically according to application numbers assigned by the Commission. Applications from Chickasaw and Choctaw freedmen were filed separately from those of other applicants for citizenship in the two tribes. The Commission maintained some applications, called Choctaw-Chickasaw Duplicates, in alphabetical arrangement. Despite their title, these files do not duplicate any of the applications filed numerically.

To facilitate access to the numerically-filed applications, the Commission prepared several indexes. These have been consolidated into one index and are reproduced on roll 1 of this publication.

Typical application files include supporting affidavits, depositions, letters, memorials, answers of tribal attorneys objecting to enrollment, lists of evidence, and receipts for service of papers. Also included are notices of appeal to the U.S. Court in Indian Territory at either South McAlester or Ardmore and a reference to the case number assigned by the court. While several files contain only a receipt for papers signed by the Clerk of the U.S. Court, a few files document in greater detail the applicant's life. Occasionally there are marriage licenses, photographs, and judgments issued by the U. S. court. Some records provide background information on the applicant including name, post office address, age, degree of blood, lists of children and their ages, and other relatives. Every

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document within the application files has been microfilmed.

On the last roll of microfilm are miscellaneous files and applications that were received too late for consideration. These records are not included in the index on roll 1.

Related Records

Related records are found in other series within the Bureau of Indian Affairs, RG 75. The Final Rolls, also known as the "Dawes Rolls," have been reproduced as Enrollment Cards for the Five Civilized Tribes, 1898-1914 (M1186). These enrollment cards include both individuals with tribal citizenship before 1896 and those who were approved for citizenship by the Dawes Commission. The applications for enrollment on the Final Rolls have been reproduced as Applications for Enrollment of the Commission to the Five Civilized Tribes, 1898-1914 (M1301). Records relating to enrollment and allotment for the Five Civilized Tribes, including appeals to the U. S. Court in Indian Territory and cases heard before the Choctaw-Chickasaw Citizenship Court in Tishomingo and McAlester, are housed at the National Archives-Southwest Region (entries #60A-101, and 114-126). Related records for the Five Civilized Tribes are housed at the Oklahoma Historical Society, Oklahoma City.

Meg Hacker wrote these introductory remarks and prepared the records for filming. Volunteers at the National Archives-Southwest Region created the consolidated index.

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APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

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3236

Nation's No. 1748

Commission's No.

In re Application of

Andrew J. Bloomer

Demurrer and Answer.

FILED SEPT. 23 1899

A. S. MCKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Andrew L. Brown
for citizenship in the Cherokee Nation.

Nation's No.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

- 1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.
2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Not Begun*
..... through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Heddings, Hildridge & Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

John L. Adair
17th day of *Sept* 1896.

D. J. Ball
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Andrew J. Blernis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Davis, Wm Price, Alfred Price, Wm A. Lewis, Wesley Blernis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

POOR ORIGINAL -
BEST AVAILABLE COPY

petition and Memorial
for Cherokee Indian Citizenship
to the Hon. Down Com

Your petitioner Andrew J. Blumms earnestly and
Respectfully Represents that he is one thirty second
Cherokee Indian by Blood deriving the same from his
lineal ancestor the late Ned Sigemore through his father
Merly Blumms who was a son of Daniel Blumms who was a son
of Lyda Blumms who was a Daughter of Owen Sigemore
who was a son of Ned Sigemore a full Blood Cherokee
Indian your petitioner therefore submits to your
honorable Body the above statement of facts as grounds for
his application for Cherokee Indian citizenship as aforesaid
in the Cherokee nation and asks for full and complete
investigation of his claim and if the same is found to be
valid and correct as herein stated that he be allowed
all the Rights Privileges and immunities of other citizens
of said Nation Petitioner's full name is
Andrew J. Blumms Age 30 years Residence Johnson, Co, Tenn
in the State of Tennessee Postoffice ^{address} Laurel Bloomery
County of Johnson State of Tennessee occupation a Farmer
I am married have 2 children Eugene Blumms 9 1/2 years
James Blumms 1 year

Attesting Witnesses

Most Respectfully submitted

Deputy Justice { Seal
Seal

James T. Blumms { Seal

State of North Carolina { ss
County of Ashe

Personally appeared before me *James T. Blumms* a Justice of the Peace

in and for said county in the State aforesaid
Andrew J. Blum the Petitioner in the above Petition
for Cherokee Indian citizenship in the Cherokee nation
Indian Territory U.S.A. who after being duly sworn
according to law states that the facts set forth in his
said petition above are true as stated there in
this the 22 day of Aug 1894
Attesting Witnesses

Wm. Blum Seal

Seal
Seal

Subscribed and sworn to before me a Justice of the Peace
as aforesaid on this 22 day of Aug 1894
and I do certify that I am personally acquainted with
Andrew J. Blum the said Petitioner and know that he is
a credible Person and entitled to full faith and credit
before any of the courts of the State of North Carolina and that I
have no interest directly or indirectly in the Prosecution
of his said claim for Cherokee Indian citizenship and
am not Related to him by Blood or Marriage

STATE OF NORTH CAROLINA,
Ashe County

... , Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 24 day of August 1896.

P. J. Blum
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va.; whose postoffice address is Grasey Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, 189...

Rejected

32

No 2284

Claimant
of
Andrew J. Bloomer

to Citizenship
to Cherokee Natl

I. T.
Po Laurel Blount
Tenn.

(Sizemore family)

Filed Sept 7-1896

A S M Henson
Clerk

John Baldwin
Silas Cook

NC

Affidavit of Witness

State of North Carolina
County of Ashe } ss.

Before me the undersigned a Justice of the Peace
in and for the County and State aforesaid personally
~~appeared~~ ~~Heaven~~ Blevins who after being by me duly
sworn states that he is 69 years of age and a
Citizen of Ashe County and State of North Carolina
and that he is personally acquainted with Andrew J.
Blevins who is an applicant for Citizenship in the
Cherokee Nation I. T. and affiant further states
that the said Andrew J. Blevins is the identical
person he represents himself to be in his application
for Citizenship in said Nation and that the said
Andrew J. Blevins is a son of Wesley Blevins
who was a son of Daniel Blevins who was a son of
Lydia Blevins who was a daughter of Curin
Sizemore who was a son of Ned Sizemore a full
Blood Cherokee Indian

Affiant further states that he has known the said
Andrew J. Blevins for the past 25 years and knows
that he is and been recognized and treated by his
neighbors acquaintances and the public generally
as a person having Cherokee Indian blood and
that the complexion physical appearance language
and manner of the said Andrew J. Blevins indicate
that the said Andrew J. Blevins is of Indian
Blood that from the above facts and
Circumstances and from statement made to him
by the said arrestor

Affiant States he has every reason believe and does believe that the said Andrew J. Blevins is of Cherokee Indian Blood. Affiant further States that he has no interest whatever in the prosecution of the claim of the said Andrew Blevins to Citizenship in the Cherokee Nation I. T. and that he is not related by Blood or Marriage to the said Andrew J. Blevins.

Wesley Blevins

Attest,

Subscribed and sworn to before me this 22 day of Aug A.D. 1896, and I further Certify that I am well acquainted with the said ~~Wesley~~ Blevins and know him to be a person of Credibility and of truth and Veracity

John Miller J.P.

STATE OF NORTH CAROLINA,
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ~~Miller~~ ^{John Miller} Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ~~22nd~~ ^{24th} day of August, 1896.

P. Blevins
Clerk Superior Court.

End

3237

Nation's No. 1485

Commission's No.

In re Application of

Shodrak Blooms

Demurrer and Answer.

FILED SEPT 26 1896

A. S. MCKENNON

COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Shadrach Blount

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

W. B. Mayes
through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory; as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Harding, Hutchings & Pauline* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

17th day of *Sept* 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Shadrach Blenis* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Samuel Davis, Alfred Price, Wm Price, Wm A Lewis, Wm Price*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *7* day of September, 1896.

J. N. Baldwin
Notary Public

my Commission Expires Mar 7th 1900

POOR ORIGINAL -
BEST AVAILABLE COPY

Clamie
Shadrach Blevins
to Clamiant
Cherokee Indian Citizenship

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon Dames Commission;

Your petitioner Shadrock Blevins, earnestly and respectfully represents that he is one
~~Sixty & thirty~~ Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore through his father George Blevins who
was a son of Eli Blevins, who was a son of
Lyddia Blevins who was a daughter of said Ned
Sizemore who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Shadrock Blevins, age thirty-nine years.
residence Ashe Co, in the State of North Carolina postoffice address Silas Creek
County of Ashe, State of N.C., occupation that of a farmer

and is a married man and the father of four minor children,
to wit: Wm G. Blevins, aged 14 years; James F. Blevins aged
11 years; Bettie F. Blevins aged 5 years; Dora E. Blevins,
aged 1 year.

Attesting witnesses;

Most Respectfully Submitted,

..... [SEAL.]
..... [SEAL.]

Shadrock Blevins [SEAL.]

State of North Carolina,
County of Ashe

Personally appeared before me, Elisha Davis, a Justice of the Peace
in and for said county in the State aforesaid, Shadrock Blevins, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the 14 day of July 1896

Attesting witnesses,

Shadrock Blevins [SEAL.]

..... [SEAL.]
..... [SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 14 day of
July 1896, and I do certify that I am personally acquainted with Shadrock Blevins
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the
Courts of the State of North Carolina, and that I have no interest directly or indirectly in the pro-
secution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

Elisha Davis J.P.

STATE OF NORTH CAROLINA, }
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Elisha
Davis, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August, 1896.

P. Blevins
Clerk Superior Court.

POOR ORIGINAL -
BEST AVAILABLE COPY

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Shadrach Blevins*..... To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

State of *North Carolina*...
County of *Ashe*...

On this, the *14* day of *July* A. D., 189*6*, personally before me, *Elisha Davis*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Shadrach Blevins*, aged *39* years, a resident of *Ashe* County, and State of *North Carolina*, whose postoffice is *Silas Creek* who after being duly sworn according to law, says that he is *one sixteenth* ^{*twenty second*} Indian by *blood* and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath. *that he denies*

his Indian blood from his ancestor the late Ned Sizemore as set forth in his Petition and Memorial

and is a direct lineal descendant of the *Sizemore* family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Sizemore family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood, and is an admixture of *white* and Cherokee and at least *one sixteenth* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this *14* day of *July* A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

Elisha Davis J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed]

SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Bearberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON.

[Signed]

WILLIAM x PRICE
his
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed]

ALFRED x PRICE
his
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, *Mar 7, 1900*

3237
Rejected

No 2281

IN THE MATTER OF

Shadrach Brown

Claim to Citizenship in Alaska

Nation, I. T.

Po Sitar Creek N.C.

(Sizemore family)

Filed Sept 7-1894

A S McKinnon
Clerk

John Baldwin

Sitar Creek

N.C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared William Price, who after being by me duly sworn states that he is 86 years of age, and a citizen of Ashe County, and State of North Carolina and that he is personally acquainted with Shadrach Blevins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Shadrach Blevins is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Shadrach Blevins is a son of George Blevins who was a son of Eli Blevins who was a son of Lydder Blevins who was a daughter of Orin Blevins who was a son of Ned Squire who was a Cherokee Indian of the full blood; and is the father of the following named children: Wm. G. Blevins, Jas. T. Blevins, Bettie F. Blevins, Dora C. Blevins

Affiant further states that he has known the said Shadrach Blevins for the past 30 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Shadrach Blevins indicate that the said Shadrach Blevins is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Shadrach Blevins, affiant states he has every reason to believe and does believe that the said Shadrach Blevins is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Shadrach Blevins to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Shadrach Blevins

Attest, J. H. Barton

William Price
mark

Subscribed and sworn to before me, this 11 day of August A. D., 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

M. C. Hush J.P.

My commission expires on the _____ day of _____ 189 _____

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hush, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12th day of August 1896.

P. Blevins
Clerk Superior Court.

End

3238

Nation's No. 1756

Commission's No.

In re Application of

Bethel Brown

Demurrer and Answer,

FILED SEP 11 1890

A. S. KENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Walter B. Brown

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving *his* aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Walter B. Brown*

..... through whom the petitioner..... claims to derive *her* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that *her* name
does not appear on any of the authenticated rolls of said Nation; that neither *she* nor any of *her* ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Healing, Hulchuga & Boudie* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept*, 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Bettie Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Samuel Davis, Alfred Price, Wm. A. Lewis, J. H. Barton & Wm. Price

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7 day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Mar 7th 1900

Clamie
2 Pettie Blevins
to 3 Clamiant
3
Cherokee Indian Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dames Commission:

Your petitioner, *Bettie Blevins*, earnestly and respectfully represents that she is *one* ~~Indian~~ ^{woman} Cherokee Indian by blood, deriving the same from her lineal ancestor, the late *Ned Sizemore* through her father *James Blevins*, who was a son of *George Blevins*, who was a son of *Syddia Blevins*, who was a daughter of said *Ned Sizemore*, who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Bettie Blevins*, age *Twenty-one* years, residence *Stu Co*, in the State of *North Carolina* postoffice address *Compher* County of *Stu*, State of *N.C.*, occupation that of a *housewife*

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]
[SEAL]

Bettie Blevins [SEAL]

State of *North Carolina* ss.
County of *Stu*

Personally appeared before me, *M. C. Hark*, a Justice of the Peace in and for said county in the State aforesaid, *Bettie Blevins*, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the *16* day of *July* 1896.

Attesting witnesses,

Bettie Blevins [SEAL]

[SEAL]
[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *16* day of *July* 1896, and I do certify that I am personally acquainted with *Bettie Blevins* the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M. C. Hark J. P.

STATE OF NORTH CAROLINA, ss.
ASHES COUNTY

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hark*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19* day of *August*, 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Bettie Blevins* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

State of *North Carolina*

County of *Ashe*

On this, the *16* day of *July* A. D., *1896*, personally before me, *M. C. Nash*

, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Bettie Blevins*, aged *21* years, a resident of *Ashe* County, and State of *North Carolina*, whose postoffice is *Conumple*, who after being duly sworn according to law, says that she is an ~~Indian~~ Indian by *blood* and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she derives*

her Indian blood from her ancestor, the late Ned Sizemore as set out in her Petition and Memorial.

and is a direct lineal descendant of the *Sizemore* family, whose name she believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that she believes the said *Sizemore family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood, and is an admixture of *white* and Cherokee and at least one *Cherokee* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Bettie Blevins

Subscribed and sworn to before me, this *16* day of *July* A. D., *1896*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

M. C. Nash J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } SS,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Crauberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, [Signed] his mark. WILLIAM X PRICE.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH. J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baston, who after being by me duly sworn states that he is 15 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverly, in said County, and that he is personally acquainted with Bettie Blewins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Bettie Blewins is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 15 day of September, A. D., 1896.

My Commission expires, March 7, 1900.

J. H. Baston
M. P. Roberts Notary Public.

#2731
Rejected
✓

3238

No.....

IN THE MATTER OF

Bettie Bernis

Claim to Citizenship in Cherokee

Nation, I. T.

Po Crumpler N.C.

(Sizimov family)

Filed 2/28/78

A. McKinnon

Comr.

John Baldwin

Seas Creek

Mc

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared William Price, who after being by me duly sworn states that he is 86 years of age, and a citizen of Ashe County, and State of North Carolina and that he is personally acquainted with Bettie Blevins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Bettie Blevins is the identical person he represents himself to be in her application for citizenship in said Nation, and that the said Bettie Blevins is a daughter of James Blevins who is a son of George Blevins who is a son of Lydell Blevins who was a daughter of Queen Begins who was a son of Red Squirrel who was a Cherokee Indian of the full blood.

Affiant further states that he has known the said Bettie Blevins for the past 18 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Bettie Blevins indicate that the said Bettie Blevins is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Bettie Blevins, affiant states he has every reason to believe and does believe that the said Bettie Blevins is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Bettie Blevins to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Bettie Blevins.

Attest, J. H. Barten

William Price
Justice of the Peace

Subscribed and sworn to before me, this 11 day of August A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

M. C. Hask

My commission expires on the _____ day of _____

1896

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19th day of August 1896.

P. Blevins
Clerk Superior Court.

End

3239

Nation's No. 11417

Commission's No.

In re Application of

M. J. Fleming

Demurrer and Answer.

FILED SEPT 25 1896

A. S. MCKENNON

COURT

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of Ab. Shering

Nation's No. _____

Commission's No. _____

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Wm. L. Adair

through whom the petitioner claim to derive his right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Bond Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, 12th day of Sept, 1896.

D. J. Bell
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

A. J. Blivins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Rice, Wm Rice, Wm A. Lewis, J. G. Lewis and Elisha Blivins*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
W. H. Davis Notary Public
My Commission Expires Mar 7th 1900

2750 3239
A. H. Skins
Clement
J. H. Skins
J. H. Skins
Po. Green Cove, N.C.

Filed Sept 1896
A. H. Skins
Clement
(Skins family)

Rejected

John Baldwin
Skins
N.C.

Affidavit of Witness
State of North Carolina } ss.
County of Ashe

Before me the undersigned Justice of
the Peace in for the County and State
aforesaid personally appeared
~~Elihu~~ Blevins who after being by
me duly sworn states that on oath
he is 74 yrs of age and a Citizen of
Ashe Co. County and State of
N.C. and that he is personally
acquainted with A. J. Blevins who is
an applicant for citizenship in the
Cherokee Nation I. T. and affiant
further states that the said
A. J. Blevins is the identical person he
represents him self to be in his
application for citizenship in said
Nation and that the said
A. J. Blevins is a son of James Blevins
who was a son of Wells Blevins
who was a son of Lydia Blevins
who was a Daughter of Owen Syzmore
who was a son of Ned Syzmore a
full Blood Cherokee Indian.

affiant further states that on oath
he has known the said A. J. Blevins
for the past 25 years and knows
that he is and has been recognized
and treated by his neighbors,

acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion physical appearance language and manner of the said A. J. Blevins indicate that the said A. J. Blevins is of Indian blood. That from the above facts and circumstances and from statements made to him by the said A. J. Blevins of said - states that he has every reason to believe, and does believe that the said A. J. Blevins is of Cherokee Indian blood. Affiant further states that he has no interests whatever in the prosecution of the claim of the said A. J. Blevins to citizenship in the Cherokee Nation, I. T. and that he is not related by blood or marriage to the said A. J. Blevins. ^{Elisha Blevins}

Subscribed and sworn to before me this 28th day of Octy A. D. 1888 and I further certify that I am well acquainted with the said Elisha Blevins and know him to be a person of credibility and of truth and veracity.

W. H. Blevins J. P.

STATE OF NORTH CAROLINA, } ss.
Ashe County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ^{W. H. Blevins} Blevins, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19th day of August, 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest
J. H. BARTON, [Signed] WILLIAM x PRICE.
his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]

W A Lewis, Notary Public.

Mar 7 1900

Petition and Memorial

To Cherokee Indian Citizenship
to the Honorable Senate
Your Petitioner Andrew J. Blivins earnestly
and respectfully represent that it is proven
and he believes that he is of Cherokee
Indian by blood deriving the same from
his lineal ancestors the late Neil
Sizmore through his father James Blivins
who was a son of Wells Blivins who
was a son of Lajthia Blivins who was
a daughter of Owen Sizmore who was
a son of Neil Sizmore who was a free
blood Cherokee Indian your petition
therefore submits to your honorable
body the above statements of facts
as grounds for his application for
Cherokee Indian citizenship as
aforesaid in the Cherokee Nation
and asks for full and complete
investigation of this claim and if
the same is found to be valid and
correct as herein stated that he be
allowed all the right and privileges
and immunities of other citizens of said
Nation. Petitioner full name is Andrew Jackson
Blivins age 34 years residence Washington
Co. in the State of Va. Post office
Greenhouse Va. Occupation Farmer

I am married, have 11 children
Marion Blevins age 20, W. T. Blevins,
age 18, James A. Blevins age 13
Ola Blevins age 3 months.

Most respectfully submitted
A. J. Blevins

State of North Carolina, Co. of Ashe
A. J. Blevins personally appeared before me
J. M. Hart Justice of the Peace in and for
said County in the State of for said
A. J. Blevins the petitioner in the above
petition for Cherokee Indian citizenship
in the Cherokee Nation Indian Territory
U. S. A. who after being duly sworn
according to law. States that the facts
set forth in the said petition above
are true as stated therein.
This the 19th day of August 1896.

D. M. Hart, J. P.
Subscribed and sworn to before me a Justice of the
Peace in and for said County on this 19th day of August 1896 and
I do certify that said person is acquainted
with A. J. Blevins the said petitioner and know
that he is a credible person and entitled to full
faith and credit before any of the Courts of
the State of N. C. and that I have no interest
directly or indirectly in the prosecution of his said
claim for Cherokee Indian citizenship, his name and relations
to him by blood or marriage.
D. M. Hart, J. P.

STATE OF NORTH CAROLINA, { ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *D. M.*
Hart....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19th day of August, 1896.

P. Blevins
Clerk Superior Court.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. G. Lewis, who after being by me duly sworn states that he is 44 years of age, and a resident of Washington County, and State of Virginia, whose postoffice address is Medina, in said County, and that he is personally acquainted with A. J. Blessing, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said A. J. Blessing is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 30 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, the J. G. Lewis day of September, A. D., 1896.
M. H. Roberts, Notary Public.

My Commission expires, March 7, 1900.

End

32410

Nation's No. 985.
Commission's No
In re Application of
David M. Blevins, et al.

Demurrer and Answer.
FILED SEPT 25 1896.
A. S. MCKENNON

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
David M. Blevins, et al.....

Nation's No. 985.....

Commission's No.....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner ^S claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, 12th day of Sept., 1896.

D. L. Ball
NOTARY PUBLIC.

44

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of David M. Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price, Wm Price, Samuel Davis, Wm A. Lewis, J. H. Baldwin, Wesley Blevins

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. F. Bellman
Notary Public

my Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO *the Hon Quess Com*

Your petitioner, *David M. Blevins*, earnestly and respectfully represents that he is ~~an~~
~~third~~ *second* Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Red Sigmon through ~~his father~~ *his father Philip Blevins who was a*
~~son of Red Sigmon~~ *who was the son of Lydia*
who was a son of Red Sigmon a pure blood
Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *David M. Blevins*, age *51* years,
residence *Cash*, in the State of *NC*, postoffice address.....
Bud County of *Ashe* State of *NC* occupation that of a *farmer*
I am married and have eight children to wit
Allen Blevins aged 23 years Elizabeth Blevins aged 23 years
Sephae Blevins aged 20 years Robert Blevins aged 18 years
Edie Blevins aged 16 years Elizabeth aged 14 years
Joe Blevins aged 4 years Ellen Blevins aged 4 months

Attesting witnesses,

Most Respectfully Submitted,

J. M. Baldwin [SEAL.]
[SEAL.]

David M. Blevins [SEAL.]
mark

STATE OF *North Carolina* ss.
COUNTY OF *Ashe*

Personally appeared before me, *L. Hurley*, a Justice of the Peace
in and for said county in the State aforesaid, *David M. Blevins*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the *17* day of *Aug*, 189*6* [SEAL]

J. M. Baldwin [SEAL.]
[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *17* day of
Aug 189*6*, and I do certify that I am personally acquainted with *David M. Blevins*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *NC*, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley, J. P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *S. Hurley*
Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *19* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court.

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State of North Carolina, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a true and correct person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August, 1896, personally appeared before the undersigned Justice of the Peace in and for the County of Ashe, State of North Carolina, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the
County of Ashe, in the State aforesaid, personally appeared William Price,
aged 80 years, a resident of the County of Ashe, State of North Carolina, whose
postoffice address is Weaversford, N. C., who being duly sworn states
that he was born and raised in Ashe county, N. C., and that some sixty or
seventy years ago he well knew one Ned Sizemore who was a full blood
Cherokee Indian and made his home at that time on the waters of Cran-
berry Creek, in Ashe county, N. C.; that said Sizemore had come from
the home of the Cherokee tribe in Western N. C., or Ga., some several
years prior to the time affiant first knew; that he often went back to where
said tribe was located after affiant first knew him but finally made his
home in Ashe county, N. C., where he subsequently died; that said Size-
more had a numerous family of sons and daughters, two of whom, Owen
Sizemore, a son and Catharine Sizemore, a daughter affiant well and person-
ally knew; that said Owen Sizemore had a daughter, Lyddia who married
one James Blevins, and lived in Ashe county, N. C.; that said James and
Lyddia Blevins had several sons and daughters from whom have descended
a number of the present claimants; that said Catharine Sizemore, a
daughter of said Ned Sizemore married one James Hart, and had numer-
ous sons and daughters among whom were Catharine who married one
Baldwin and subsequently married one Caldwell, and Margery who mar-
ried Robert Hush, and settled in Grayson Co., Va., near the Va., and N. C.
State line, Ned Hart, who settled in Ashe county N. C., from whom have
descended a number of the present claimants. Affiant further states that
said Ned Sizemore had every appearance of being a full blood Indian; that
he claimed to be a member of the Cherokee tribe and was so recognized by
the said Cherokee tribe and members thereof; that he was recognized and
treated by his neighbors and acquaintances in Ashe county, N. C., and
Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and obser-
vation and has no interest direct or indirect in the claim of the descen-
dants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, [Signed] WILLIAM x PRICE
his
mark.

Sworn to and subscribed before me this 11th day of August, A. D.
1896, and I further certify that I am well acquainted with the said William
Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Com-
mission in the claim of Cornelie Peak for citizenship in the Cherokee Na-
tion, I. T.)

Official character and genuineness of signature of Justice certified by
Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires (Mar) 1900.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe in said County, and that he is personally acquainted with David McArthur who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said David McArthur is the identical person he represents him self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 24 day of September, A. D., 1896.
M. H. Dobbins, Notary Public.

My Commission expires, March 7, 1900.

3240

#2132

Rejoice

No.

IN THE MATTER OF

David M. Martin

Claim to Citizenship in Cherokee

Nation, I. T.

Pro. Bud H. C.

(Signatures family)
Filed Sept 8/1896
Attest
John Baldwin
Silas Over
Mc

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Wesley Blevins*, who after being by me duly sworn states that he is *67* years of age, and a citizen of *Ashe* County, and State of *N.C.* and that he is personally acquainted with *David M. Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *David M. Blevins* is the identical person he represents *himself* to be in his application for citizenship in said Nation, and that the said *David M. Blevins* is *the son of Eli Blevins who was a son of Sarah Blevins who was a daughter of Owen Ligonier who was a son of Red Ligonier a full blood Cherokee Indian*

Affiant further states that he has known the said *David M. Blevins* for the past *17* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *David M. Blevins* indicate that the said *David M. Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *David M. Blevins* affiant states he has every reason to believe and does believe that the said *David M. Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *David M. Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *David M. Blevins*.

Attest,

Wesley Blevins

Subscribed and sworn to before me, this *15* day of *Aug* A. D. 189*6*, and I further certify that I am well acquainted with the said *Wesley Blevins* and know him to be a person of credibility and of truth and veracity.

Wm Miller J.P.

My commission expires on the _____ day of _____ 189*6*.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

L. Poindexter Blevins, Clerk of the Superior Court of said county, do certify that *Wm Miller* Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *14* day of *August* 189*6*.

D. Blevins
Clerk Superior Court.

End

3241

Nation's No. 11467

Commission's No.

In re Application of

Edgar B. ...

Demurrer and Answer.

FILED SEPT 23 1896 ★
A. S. L. CHENONE
COURT

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Esther Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Samuel Davis, Alfred Price, Wm A Lewis, J. M. Baldwin, Wm Price*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *7* day of September, 1896.

J. N. Baldwin
Notary Public

my Commission Expires Mar 4th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Dames Commission:*

Your petitioner, *Esther Blevins*....., earnestly and respectfully represents that *she is one thirty-second*..... Cherokee Indian by blood, deriving the same from her lineal ancestor, the late *Ned Sizemore*....., through *his father Alfred Blevins who was a son of James Blevins who was a son of Lyddia Blevins who was a daughter of Owen Sizemore who was a son of Ned Sizemore who was a Cherokee Indian of the pure blood*

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Esther Blevins*....., age *thirty*..... 30..... years, residence *Ashe Co.*....., in the State of *North Carolina*....., postoffice address *Silas Creek*..... County of *Ashe*..... State of *North Carolina*..... occupation that of a *housewife*

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL] }
.....[SEAL] }

Esther Blevins.....[SEAL]
mark

STATE OF *North Carolina*..... } ss.
COUNTY OF *Ashe*..... }

Personally appeared before me, *L. Hurley*....., a *Justice of the Peace* in and for said county in the State aforesaid, *Esther Blevins*....., the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the *14* day of *July*..... 1896.

Attesting witnesses,
.....[SEAL]
.....[SEAL]

Esther Blevins.....[SEAL]
mark

Subscribed and sworn to before me, a *Justice of the Peace* as aforesaid, on this *14* day of *July*..... 1896, and I do certify that I am personally acquainted with *Esther Blevins* the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

L. Hurley, J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that..... *L. Hurley*....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19* day of *August* 1896.

P Blevins
.....
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of *Esther Blennis* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *14* day of *July*, A. D., 189*6*, personally before me *L. Hurley*,
....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Esther Blennis*, aged *30* years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Silas Creek, N.C.*, who after
being duly sworn according to law, says that she is *one thirty second* Indian by *blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she de-*
clines her Indian blood from her ancestor,
the late Ned Sizemore, as set out in her
Relation and Memorial

and is a direct lineal descendant of the *Sizemore* family, whose name she believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that she believes the said *Sizemore family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical
appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *thirty second* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Subscribed and sworn to before me, this *14* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe her to be a credible person

L. Hurley J.P.

13

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

~~Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.~~

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 36 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelle Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelle Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] WILLIAM x PRICE.
J. H. BARTON. his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelle Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. *W. A. Lewis* [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. *M. H. Davis*, Notary Public.

My commission expires *Mar 7 1900* 1899.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. F. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Grand County, and that he is personally acquainted with Esther Blum, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Esther Blum is the identical person she represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 3rd day of September, A. D., 1896.
W. J. Goulet, Notary Public.

My Commission expires, March 7, 1900.

2138

3241

Registered
✓

No.....

IN THE MATTER OF

Ester Thomas

Claim to Citizenship in Cherokee

Nation, I. T.

By Pro. Silas Carr, R.C.

(Sizemore family)
Filed Sept 8th 1896
A. M. Harmon
Clerk

John Baldwin
Silas Carr
MC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina*, and that he is personally acquainted with *Esther Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Esther Blevins* is the identical person she represents *himself* to be in her application for citizenship in said Nation, and that the said *Esther Blevins* is

Affiant further states that he has known the said *Esther Blevins* for the past *24* years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Esther Blevins* indicate that the said *Esther Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Esther Blevins* affiant states he has every reason to believe and does believe that the said *Esther Blevins* is of *Cherokee* Indian blood. *Esther Blevins* states that she has no interest whatever in the prosecution of the claim of the said *Esther Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Esther Blevins*.

Attest, *J. H. Boston*

William Price
J. Price

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

M. C. Kask J. P.

My commission expires on the _____ day of _____ 189*6*.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Kask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19th* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

End

3242

Nation's No 1019.

Commission's No

In re Application of

Eli Blevins, et al.

Demurrer and Answer.

FILED SEPT 25 1896

→A. S. MCKENNON←

— COURT —

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....

Eli Blevins, et al.

Nation's No 1019.

Commission's No.....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~s~~ are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner ~~s~~ claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 12th day of Sept. 1896.

R. A. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Eli B. Blum for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Samuel Davis, Alfred Price, Wm. A. Lewis and Wm. Price,*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this the *7* day of September, 1896

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

Claim
Eli. B. Blevins
Claimant
Cherokee Indian Citizenship

11000

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Eli Bartlett Blevins, earnestly and respectfully represents that he is one

~~eight~~ sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Ned Sigemore through his father Eli Blevins who was a son of Liddia Blevins who was a daughter of Queen Sigemore who was a son of Ned Sigemore who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Eli Bartlett Blevins, age fifty-three years, residence Ash, in the State of North Carolina, postoffice address Silas Creek, County of Ash, State of N.C., occupation that of a farmer

and is a married man and the father of the following named minor children, Jane Blevins who married one David Burr and has one infant child, George Blevins, aged 14 years; Charles Blevins, aged 7 years; Delia H. Blevins, aged six years; Fannie Blevins, aged 4 years; Pally H. Blevins aged, 1 month

Attesting witnesses;

Most Respectfully Submitted;

[SEAL.]

Eli B. Blevins [SEAL.]

[SEAL.]

State of North Carolina, ss.
County of Ash

Personally appeared before me, Elisha Davis, a Justice of the Peace in and for said county in the State aforesaid, Eli Bartlett Blevins, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being sworn to had said petition above are true as stated therein, this the 14 day of July 1896.

Attesting witnesses,

Eli B. Blevins [SEAL.]

[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 14 day of July 1896, and I do certify that I am personally acquainted with Eli Bartlett Blevins the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

Elisha Davis J. P.

STATE OF NORTH CAROLINA, ss.
ASH COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Elisha Davis, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14 day of August 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Eli Bartlett Blenis* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

State of *North Carolina* }
County of *Ashe* } ss.

On this, the *14th* day of *July* A. D., 189*6*, personally before me, *Olisha Davis*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Eli Bartlett Blenis*, aged *53* years, a resident of *Ashe* County, and State of *North Carolina*, whose postoffice is *Silas Creek*, who after being duly sworn according to law, says that he is *one eighth part* Indian by blood and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he derives his Indian blood from his ancestor the late Ned Sigimore as set out in his Petition and Memorial*

and is a direct lineal descendant of the *Sigimore* family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Sigimore family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood and is an admixture of *white* and *Cherokee* and at least one *eight* part Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

E. B. Blenis

Subscribed and sworn to before me, this *14th* day of *July* A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

Olisha Davis J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weavertown, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and who lived in the mountains of Granberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

(Given under my hand this 11th day of August, A. D. 1896.)

Attest
J. H. BARTON,

[Signed]

WILLIAM X PRICE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

(Given under my hand this day and date first above written.)

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED X PRICE
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

(Given under my hand this day and date first above written.)

[Signed]

L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]

W A Lewis

Notary Public.

Mar 7, 1900

3242
~~2449~~
Rejected
✓

No.

IN THE MATTER OF

Eli B. Blum

Claim to Citizenship in Cherokee

Nation, I. T.

Do Silas Cook H. C.

(Sizemore family)

Filed Sep 8th 1896

Asst. Commr.

John Baccum

Silas Cook

H. C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared William Price, who after being by me duly sworn states that he is 28 years of age, and a citizen of Ashe County, and State of North Carolina and that he is personally acquainted with Eli B. Blevins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Eli B. Blevins is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Eli B. Blevins is a son of Eli Blevins, who was a son of Sydia Blevins, who was a daughter of Owen Sizemore who was a son of Ned Sizemore, who was a Cherokee Indian of full blood, and is the father of the following named minor children: Jane, who married one Dovid Guen and has one infant child; George Blevins; Charles Blevins; Delia A. Blevins; Sharon Blevins; Fannie Blevins and Polly F. Blevins.

Further states that he has known the said Eli B. Blevins for the past 50 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Eli B. Blevins indicate that the said Eli B. Blevins is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Eli B. Blevins affiant states he has every reason to believe and does believe that the said Eli B. Blevins is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Eli B. Blevins to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Eli B. Blevins.

Attest, J. H. Barton

William Price
mark

Subscribed and sworn to before me, this 11 day of August A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

W. C. Hask J.P.

My commission expires on the _____ day of _____ 189 _____

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that W. C. Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 11 day of August 1896.

M. C.
Clerk Superior Court.

End

3243

Nation's No. 1806

Commission's No.

In re Application of

Greenberg & Shvins

Demurrer and Answer.

FILED SEPT. 26 1885.

A. S. MCKENNON

COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Gumbray Blowing
for citizenship in the Cherokee Nation.

Nation's No.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Ind. Sigmond* through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Hastings & Bowditch* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *17th* day of *Sept.* 1896.

John L. Adair
D. J. Ball
NOTARY PUBLIC.

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Greenbury Blevins earnestly and respectfully represents that he is one
thirty-second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore, through his father Alfred Blevins who
was a son of James Blevins who was a son of Lyd-
dia Blevins who was a daughter of Owen Siz-
more who was a son of Ned Sizemore who
was a Cherokee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Greenbury Blevins age sixteen years,
residence Ashe Co. in the State of North Carolina, postoffice address Silas
Creek County of Ashe State of North Carolina occupation that of a
farmer

Attesting witnesses,

Most Respectfully Submitted,

[SEAL.]
[SEAL.]

Greenbury Blevins
mark [SEAL.]

STATE OF North Carolina } ss.
COUNTY OF Ashe

Personally appeared before me, L. Hurley, a Justice of the Peace
in and for said county in the State aforesaid, Greenbury Blevins the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the 14 day of July 1896.
Attesting witnesses, Greenbury Blevins [SEAL.]
mark

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 14 day of
July 1896, and I do certify that I am personally acquainted with Greenbury Blevins
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley, J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that L. Hurley
Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August, 1896.

P. Blevins
Clerk Superior Court.

Gumbey, Blevins.

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

Of *Greenberry Blevins* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *14* day of *July*, A. D., 189*6*, personally before me *L. Hurley*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Greenberry Blevins*, aged *16* years, a resident of *De la* county, and State of *North Carolina*, whose postoffice is *Silas Creek, N.C.*, who after being duly sworn according to law, says that he is *one truly second* Indian by blood, and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he derives his Cherokee blood from his ancestor, the late Ned Sizemore as set out in his Petition and Memorial.*

and is a direct lineal descendant of the *Sizemore* family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Sizemore family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood and is an admixture of *white* and Cherokee and at least one *truly second* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this *14* day of *July*, A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

L. Hurley, J.P.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Greenbury Blennis* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Samuel Davis, Alfred Price, Wm A. Lewis, J. M. Baldwin, Wm Price*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public

my Commission Expires Mar 7 1900

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, for the coun-
ty of Ashe, in the State aforesaid, personally appeared ~~William~~ Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddie who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 70 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew him; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] WILLIAM x PRICE.
J. H. BARTON, his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]

W A Lewis, Notary Public.

Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Beul, in said County, and that he is personally acquainted with Greenberg Blum, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Greenberg Blum is the identical person he represents him self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 12 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 3rd day of September, A. D., 1896.
M. H. Hobbs, Notary Public.

My Commission expires, March 7, 1900.

#2128³²⁴³
Rejected

No.....

IN THE MATTER OF

Guarling Bionis

Claim to Citizenship in

Cherokee

Nation, I. T.

Po. Silas Creek N.C.

(Suzemior family)

Filed Sept 8/89

A. M. Thomas

Comm

John Baldwin

Silas Creek

NC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Rice*, who after being by me duly sworn states that he is *24* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *Greenberg Blewins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Greenberg Blewins* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *Greenberg Blewins* is a son of *Alfred Blewins* who was a son of *James Blewins* who was a son of *Syddia Blewins* who was a daughter of *Oscar* *Sejimore* who was a son of *Red Sejimore*, who was a *Cherokee Indian of the full blood*.

Affiant further states that he has known the said *Greenberg Blewins* for the past *10* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Greenberg Blewins* indicate that the said *Greenberg Blewins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Greenberg Blewins* affiant states he has every reason to believe and does believe that the said *Greenberg Blewins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *George Blewins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Greenberg Blewins*.

Attest, *J. G. Boston*

William Rice Justice of the Peace

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *William Rice* and know him to be a person of credibility and of truth and veracity.

M. C. Hask J. P.

My commission expires on the day of

189

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19th* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

End

3844

Nation's No. 1443

Commission's No.

In re Application of

John B. ...

Demurrer and Answer.

25

A. S. MCKENNON

COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *John L. Adair*

through whom the petitioner claims to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *17th* day of *Sept* 1896.

D. J. Brice

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of George Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Samuel Davis Alfred Price, Wm A. Lewis J. N. Baldwin & Wm Price

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7 day of September, 1896.

J. N. Baldwin
Notary Public
My Commission Expires Mar 7-7/00

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Dawes Commission:*

Your petitioner, *George Blevins*, earnestly and respectfully represents that he is *one*
sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Mrs. Siginore, through *his father Celi Blevins who was*
of Sabin Blevins who was a daughter of
John Siginore who was a son of Mrs. Siginore
who was a Cherokee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *George Blevins*, age *sixty-four* years,
residence *Ashe Co.*, in the State of *North Carolina*, postoffice address *Silas*
Cook County of *Ashe* State of *North Carolina* occupation that of a
farmer.

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

Geo. B. Blevins [SEAL.]

STATE OF *North Carolina* ss.
COUNTY OF *Ashe*

Personally appeared before me, *L. Hurley*, a Justice of the Peace
in and for said county in the State aforesaid, *George Blevins*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the *14* day of *July* 1896.

Attesting witnesses,

George Blevins [SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *14* day of
July 1896, and I do certify that I am personally acquainted with *George Blevins*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
Hurley Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *19th* day of *August* 1896.

P. Blevins
Clerk Superior Court

George Blouin

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

Of *George Blount* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina*
COUNTY OF *Solih*

....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer

oaths, appeared *George Blount*, aged *64* years, a resident of *Solih*

county, and State of *North Carolina*..., whose postoffice is *Solih Creek N.C.* who after

being duly sworn according to law, says that he is *one sixteenth* Indian by *blood* and

a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he denies*

his Indian blood from his ancestor, the late
Ned Seymour as set out in his Petition and
Memorial

and is a direct lineal descendant of the *Seymour* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Seymour family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *sixteenth* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

George Blount.....

Subscribed and sworn to before me, this *14* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe him to be a credible person.

L. Hurley, J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, North Carolina, the following named parties, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., where he has lived all his life; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that the said Samuel Davis and

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] J. H. BARTON, his WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

Notary Public.

My commission expires

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe in said County, and that he is personally acquainted with George M. M. M. who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said George M. M. M. is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 32nd day of September, A. D., 1896.

J. M. Baldwin, Notary Public.
My Commission expires, March 7, 1900.

#244
Repealed 3244

No.

IN THE MATTER OF

George Blumie

Claim to Citizenship in Cherokee

Nation, I. T.

Po Silas Creek N.C.

(Sizemore family)

Filed Sept 8/89

As McKenna
Com

John Baldwin

Silas Creek

NC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *George Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *George Blevins* is the identical person he represents *himself* to be in his application for citizenship in said Nation, and that the said *George Blevins* is a son of *Eli Blevins* who was a son of *Lydia Blevins* who was a daughter of *Owen Sizemore* who was a son of *Weld Sizemore* who was a Cherokee Indian of the full blood,

Affiant further states that he has known the said *George Blevins* for the past *60* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *George Blevins* indicate that the said *George Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *George Blevins*, affiant states he has every reason to believe and does believe that the said *George Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *George Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *George Blevins*.

Attest, *J. H. Barton*

William Price
Justice of the Peace

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

M. C. Hask J. P.

My commission expires on the _____ day of _____ 189 _____.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, *POINDEXER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

End

3245

Nation's No. 1805

Commission's No.

In re Application of

George C. Belline

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

George C. Blvin

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is* entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that *Red. Sizemore*

through whom the petitioner claim to derive *his* right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, *as citizens thereof.*

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Hastings & Bond* Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept*, 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Geo. C. Blennis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Saml. Davis Alfred Price,
Wm. Price, Wm. A. Lewis, J. H. Barton

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
Notary Public
my Commission expires Mar. 7 1900.

Class
George C. Blinn
to Class

Cherokee Indian
Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. James Commission*

Your petitioner, *George C. Blevins*, earnestly and respectfully represents that he is *one*

second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late *Ned Sizemore*, through his father *James Blevins*, who is a son of *George Blevins*, who was a son of *Lyd-^{Queen Sizemore} dia Blevins*, who was a daughter of said *Ned Sizemore*, who was a son of *Sizemore*, who was a Cherokee Indian of the *pure blood*

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *George Cassius Blevins*, age *twenty-four* years, residence *Ashe Co.*, in the State of *North Carolina* postoffice address *Ashe Co.* County of *Ashe* State of *North Carolina* occupation that of a *farmer*

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

George C. Blevins [SEAL]

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Personally appeared before me, *M. C. Hark*, a Justice of the Peace in and for said county in the State aforesaid, *George C. Blevins*, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the *27* day of *July* 1896.

Attesting witnesses,

George C. Blevins [SEAL]

.....[SEAL.]
.....[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *27* day of *July* 1896, and I do certify that I am personally acquainted with *George C. Blevins* the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hark J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hark*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12th* day of *August*, 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of George C. Blewins To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF North Carolina }
COUNTY OF Ashe } ss.

On this, the 27 day of July, A. D., 1896, personally before me M. C. Hark, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared George C. Blewins, aged 24 years, a resident of Ashe county, and State of North Carolina, whose postoffice is Cumple N.C. who after being duly sworn according to law, says that he is not ~~an~~ Indian by blood, and a claimant for Cherokee Indian citizenship. Affiant further says on oath that he denies his Indian blood from his ancestor, the late Ned Sigemore, a full blood Cherokee Indian, as set forth in his Petition and Memorial

and is a direct lineal descendant of the Sigemore family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said Sigemore family, to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of Cherokee Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of Cherokee Indian blood and is an admixture of white and Cherokee and at least one sixteenth ~~part~~ partly mixed Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

George C. Blewins
Subscribed and sworn to before me, this 27 day of July,
A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Hark J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe

after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recognis-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevis and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

CAMUEL DAVIS

Sworn to and subscribed before me this 10th day of August, 1896, and I certify that I am duly qualified with seal and commission to know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore, who they lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of arine Hart was the mother of Catharine Caldwell who was the mother of Nancy, Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so

always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7th 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, State of North Carolina, whose postoffice address is Waverly, in said State, and that he is personally acquainted with George C. Blasing, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said George C. Blasing is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Barton day of September, A. D., 1896.

M. H. Woods, Notary Public.

My Commission expires, March 7, 1900.

#2189
Repealed

3245

No.

IN THE MATTER OF

George C. Higgins

Claim to Citizenship in Cherokee

Nation, I. T.

Do Crumpler N.C.

(Superior family)

Filed Apr 24/84

A. McKinnon

Com

John Baldwin

Seas Creek

MC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *George C. Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *George C. Blevins* is the identical person he represents himself to be in his application for citizenship in said Nation, and was that the said *George C. Blevins* is a son of *James Blevins* who was a son of *George Blevins* who was a son of *Syddia Blevins* who was a daughter of *Omni Siquore*, who was a son of *Ned Siquore* who was a *Cherokee Indian of the full blood*.

Affiant further states that he has known the said *George C. Blevins* for the past *21* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *George C. Blevins* indicate that the said *George C. Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *George C. Blevins*, affiant states he has every reason to believe and does believe that the said *George C. Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *George C. Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *George C. Blevins*.

Attest, *J. H. Buxton*

William Price
Justice of the Peace

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6* and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

M. C. Hask J. P.

My commission expires on the _____ day of _____ 189*9*.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hask* Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *14* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

End

3246

Nation's No. 1808

Commission's No.

In re Application of

George Blevins

Demurrer and Answer.

FILED SEPT. 25 1880.

A. S. MCKENNON

COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

George B. Irving

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Red Ligon*

through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Hastings & Boutwell*

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this

17th

day of

Sept

1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *George Blevins* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Saml Davis, Alfred Price, Wm Price, Wm A. Lewis & J. H. Barton*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
W. H. Dobbins Notary Public
my commission expires Mon 7 1900.

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission.

Your petitioner, George Blevins, earnestly and respectfully represents that he is One
Cherokee, Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Seymour, through his father George Blevins who
was a son of George Blevins who was a son of
Lyddia Blevins who was a daughter of Omey
Seymour who was a son of Ned Seymour, who
was a Cherokee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is George Blevins, age forty-eight years,
residence Ashe Co., in the State of North Carolina postoffice address Crump
Lee County of Ashe State of North Carolina occupation that of a
farmer

Attesting witnesses,

J. H. Baldwin [SEAL.]
[SEAL.]

STATE OF North Carolina ss.
COUNTY OF Ashe

Personally appeared before me, L. Hurley, a Justice of the Peace
in and for said county in the State aforesaid, George Blevins, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the 27 day of July 1896.

Attesting witnesses,
J. H. Baldwin [SEAL.]
[SEAL.]

Most Respectfully Submitted,

George Blevins [SEAL.]
mark

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of
July 1896, and I do certify that I am personally acquainted with George Blevins
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley J. P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that L
Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August 1896.

P. D. Blevins
Clerk Superior Court.

George Blivins

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of *George Blinnis* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*.

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *27* day of *July*, A. D., 189*6*, personally before me *L. Hurley*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *George Blinnis*, aged *48* years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Crumpler N.C.*, who after
being duly sworn according to law, says that he is *not* ~~an~~ *Indian* by blood, and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he derives*
his Indian blood from his ancestor, the
late Ned Seymour, as set out in his Petition
and Memorial

and is a direct lineal descendant of the *Seymour* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Seymour family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *Cherokee* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Attest
J. H. Baldwin

George Blinnis
Subscribed and sworn to before me, this *27* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe him to be a credible person.

L. Hurley J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N:

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C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896; and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

W. A. Lewis
W. A. Lewis
Mar 7 1900

[SEAL]

Notary Public.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverly, in said County, and that he is personally acquainted with George Blewins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said George Blewins is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 7th day of September, A. D., 1898.

My Commission expires, March 7, 1900.

J. H. Barton
W. H. Roberts Notary Public.

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No.....

IN THE MATTER OF

George Blum

Claim to Citizenship in Cherokee

Nation, I. T.

B. Crumpler N.C.

(Suzimori family)

Filed Sep 8th 1896

AS McKinnon

Comr

John Baldwin

Silas Crisk

MC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *George Blevins* who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *George Blevins* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *George Blevins* is a son of *George Blevins* who was a son of *Sydney Blevins* who was a daughter of *Enoch Sizemore* who was a son of *Wendell Sizemore* who was a *Cherokee Indian of the full blood*.

Further states that he has known the said *George Blevins* for the past *40* years knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, usage and manners of the said *George Blevins* indicate that the said *George Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *George Blevins* affiant states he has every reason to believe and does believe that the said *George Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *George Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *George Blevins*.

Attest, *J. B. Barton* *William Price*
Subscribed and sworn to before me, this *11* day of *August* A. D. 1896, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.
My commission expires on the day of 189 .

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hash*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19th* day of *August* 1896.
P. B. Blevins
Clerk Superior Court.

End

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Cherokee Indian Ci
zenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Senate Commission:*

Your petitioner, *Horton Blevins*, earnestly and respectfully represents that he is *one*
~~Attest~~ *thirty-second* Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore through his father, *Felix Blevins* who was
a son of *James Blevins*, who was a son of *Lyddia*
Blevins, who was a daughter of *Said Ned Sizemore*
who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Horton Blevins*, age *thirty* years,
residence *Ash Lee*, in the State of *North Carolina*, postoffice address *Graham*
Leah County of *Ash* State of *North Carolina* occupation that of a *farmer*

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]
[SEAL]

Horton Blevins [SEAL]

STATE OF *North Carolina*
COUNTY OF *Ash* ss.

Personally appeared before me, *M. C. Hask*, a Justice of the Peace
in and for said county in the State aforesaid, *Horton Blevins*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the *27* day of *July*, 189*6*.

Attesting witnesses,

Horton Blevins [SEAL]

[SEAL]
[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *27* day of
July 189*6* and I do certify that I am personally acquainted with *Horton Blevins*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hask J. P.

STATE OF NORTH CAROLINA, ss.
ASH COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C.*
Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *18* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of Horton Blevins To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF North Carolina

County of Ashe On this, the 27 day of July, A. D., 1896, personally before me, M. C. Hask

....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared Horton Blevins, aged 30 years, a resident of Ashe county, and State of North Carolina, whose postoffice is Logan, Tenn. N.C. who after being duly sworn according to law, says that he is one sixteenth Indian by blood and a claimant for Cherokee Indian citizenship. Affiant further says on oath that he derives his Indian blood from his ancestor, late Ned Sizemore, a full blood Cherokee Indian, as set forth in his Petition and Memorial

and is a direct lineal descendant of the Sizemore family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said Sizemore family to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of Cherokee Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of Cherokee Indian blood and is an admixture of white and Cherokee and at least one sixteenth Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Horton Blevins
Subscribed and sworn to before me, this 27 day of July
A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Hask J. P.

Nation's No. 1478

Commission's No.

In re Application of

Howell B. ...

Demurrer and Answer.

FILED SEPT 23 1897

A. S. MCKENNOT

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

the matter of application of.....

Harley B. Adams

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant.....
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that.....

..... through whom the petitioner..... claims to derive..... right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

John L. Adair *John L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the..... day of..... 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Horton Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Wm Price, Saml Davis, Alfred Price, Wm A Lewis, J. H. Boston

In support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this fourth day of September, 1896.

J. N. Baldwin
W. H. Dobbins

Notary Public

My Commission Expires Mar 4th 1900

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

(Signed) ALFRED PRICE
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest (Signed) J. H. BARTON.

his mark.
WILLIAM PRICE

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, *Mar 7, 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baster, who after being by me duly sworn states that he is fifty five years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverford, in said County, and that he is personally acquainted with Horton Blewett, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Horton Blewett is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 16 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 23 day of September, A. D., 1896.

J. H. Baster
H. H. Baster, Notary Public.
My Commission expires, March 7, 1900.

H. 3247
Rejoinder

No.....

IN THE MATTER OF

Horton Blevins

Claim to Citizenship in *Charlotte*

Nation, I. T.

Do *Grassy Creek N.C.*

(Sizmore family)

Filed Sep 8th 1896
as McMahon
comer

John Baldwin
Silas Bruce
ME

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Before me, the undersigned, a Justice of the Peace, in and for the County and State aforesaid, personally appeared William Price, who after being by me duly sworn states that he is 86 years of age, and a citizen of Ashe County, and State of North Carolina and that he is personally acquainted with Horton Blevins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Horton Blevins is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Horton Blevins is a son of Felix Blevins who is a son of James Blevins who was a son of Sydney Blevins who was a daughter of Red Sigmon, who was a son of Red Sigmon who was a Cherokee Indian of the pure blood.

Affiant further states that he has known the said Horton Blevins for the past 25 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Horton Blevins indicate that the said Horton Blevins is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Horton Blevins, affiant states he has every reason to believe and does believe that the said Horton Blevins is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Horton Blevins to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Horton Blevins.

Attest, J. H. Baston

William Price
Justice of the Peace

Subscribed and sworn to before me, this 11 day of August A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

W. C. Hask J.P.

My commission expires on the _____ day of _____ 189 _____

STATE OF NORTH CAROLINA, } ss.
Ashe County. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that W. C. Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of August 1896.

P. Blevins
Clerk Superior Court.

End

3248

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Maudie Blum for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of

himself, Samuel Davis, Alfred
Price, Wm. Price, Wm. A. Lewis & Wm.
Price

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION,
at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS,

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

(Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

(Given under my hand this day and date first above written.

[Signed] M. C. HART, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

(Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, Mar 7 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Maudie Blevins, earnestly and respectfully represents that she is one
thirty-two Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Ned Sizemore, through her father Alfred Blevins
who was a son of James Blevins who was a son of
Lyddia Blevins who was a daughter of Owen Sizemore
more who was a son of Ned Sizemore who was a
Cherokee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Maudie Blevins, age 32 years,
residence Ashe Co. N.C., in the State of North Carolina, postoffice address Ashe
Co. N.C. County of Ashe State of North Carolina occupation that of a
housewife

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

Maudie Blevins [SEAL]

STATE OF North Carolina ss.
COUNTY OF Ashe

Personally appeared before me, L. Hurley, a Justice of the Peace
in and for said county in the State aforesaid, Maudie Blevins, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated therein,
this the 14 day of July 1896.

Attesting witnesses,

Maudie Blevins [SEAL]

.....[SEAL.]

.....[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 14 day of
July 1896, and I do certify that I am personally acquainted with Maudie Blevins
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

L. Hurley, J. P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
L. Hurley, Esq.; whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

Maudie Blom

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

Of *Maudie Bernis* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *14* day of *July*, A. D., 189*6*, personally before me *L. Hurley*
....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Maudie Bernis*, aged *14*.. years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Windsor Mills*, who after
being duly sworn according to law, says that he is *Three-Quarter* Indian by *blood*, and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she*
derives her Indian blood from her ancestor, the
late Ned Sizemore as set out in her Petition
and Memorial.

and is a direct lineal descendant of the *Sizemore* family, whose name, he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that she believes the said *Sizemore family* .. to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from his earliest youth that she is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that she is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *Three-Quarter* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Maudie Bernis
Subscribed and sworn to before me, this *14* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe her to be a credible person.

L. Hurley, J. P.

Revised
3248

L

No 2288

IN THE MATTER OF

Wanda L. Jones

Claim to Citizenship in *Florida*

Nation, U. S.

Po Silas Creek N.C.

(*Saginaw family*)

Filed Sept 7-1896

A.S. Williamson
Attorney

John B. Dawson
Silas Creek
N.C.

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *84* years of age, and a citizen of *Ashe* County, and State of *North Carolina*. He is personally acquainted with *Maudie Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Maudie Blevins* is the identical person; he represents *himself* to be in *her* application for citizenship in said Nation, and that the said *Maudie Blevins* is a *daughter of Alfred Blevins* who was a son of *James Blevins* who was a son of *Lyddia Blevins* who was a *daughter of Owen Sigmour* who was a son of *Ned Sigmour* who was a *Cherokee Indian of the full blood*.

Affiant further states that he has known the said *Maudie Blevins* for the past *10* years and knows that he is and has been recognized and treated by *her* neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Maudie Blevins* indicate that the said *Maudie Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to *him* by the said *Maudie Blevins*, affiant states he has every reason to believe and does believe that the said *Maudie Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Maudie Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Maudie Blevins*.

Attest,

William Price
Justice of the Peace

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said and know *him* to be a person of credibility and of truth and veracity.

Mr. C. Hask J. P.
189*6*

STATE OF NORTH CAROLINA, } ss.
Ashe County.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *Mr. C. Hask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

Nation's No. 1775

Commission's No.

In re Application of

Maudie Blevins

Demurrer and Answer.

FILED SEPT. 27 1896. ☆

A. S. McKENNON

COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Maudie Blum

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Ad. Legenot*

..... through whom the petitioner claim to derive *her* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings Hastings & Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Feb.* 1896.

John L. Adair
J. D. Bell
NOTARY PUBLIC.

End

3249

Nation's No. 1783

Commission's No.

In re Application of

Martha Blaine

Demurrer and Answer.

FILED SEPT. 27 1896. ☆

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Martha Rhine

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent; S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving ~~his~~ *his* ~~demurrer~~, but insisting upon the same for answer to said appli-
cation, says that *Fred Seymour*

through whom the petitioner claim to derive *her* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Antelings, Hastings & Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

17th day of *Sept*

1896.

D. J. Bell

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Martha Blennis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Davis, Alfred Price, Wm. A. Lewis, J. H. Baldwin & Wm. Price

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

Clarrie
2 Martha Blomvis
to 3 Clarrieant

Charles Indian
Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Dames Commission.*

Your petitioner, *Martha Blevins*, earnestly and respectfully represents that he is *One*
Sixty-fourth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sigmone through his mother *Nancy Jones*, who was a
daughter of *Adaline Jones*, who was a daughter of *Ned Hart*,
who was a son of *Catherine Hart* who was a daughter of
said *Ned Sigmone* who was a Cherokee Indian of the
full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Martha Blevins*, age *eighteen* years,
residence *Ashe Co.*, in the State of *North Carolina*, postoffice address *Ashe*
ville County of *Ashe* State of *North Carolina*, occupation that of a *house-*
wife

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

Martha Blevins [SEAL.]

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Personally appeared before me, *M.C. Hash*, a Justice of the Peace
in and for said county in the State aforesaid, *Martha Blevins*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated
therein, this the *5th* day of *August* 1896.

Martha Blevins [SEAL.]

.....[SEAL.]
.....[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *5th* day of
August 1896, and I do certify that I am personally acquainted with *Martha Blevins*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M.C. Hash J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, *POINDEXER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M.C.*
Hash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *12th* day of *August* 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] " M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } SS,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or

seventy years ago he came from the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore was the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON,

[Signed]

his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court, under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } SS:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T. :

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis, Notary Public.

My commission expires *Mar 7, 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Borton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wm. Borton, in said County, and that he is personally acquainted with Martha Borton, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Martha Borton is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 3 day of September, A. D., 1896.
J. H. Borton
M. H. Borton, Notary Public.
My Commission expires, March 7, 1900.

2129 3249

Repealed
✓

No.

IN THE MATTER OF

~~Monte~~ ~~Blum~~ ~~Blum~~

Claim to Citizenship in ~~Cherokee~~

Nation, I. T.
Re Scottsville N.C.

(Beynion family)

Filed Sept 8/84

A. M. - ~~Blum~~
Chm

John Baldwin
Silas Cook
NC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price* who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *Martha Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Martha Blevins* is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said *Martha Blevins* is a daughter of *Adaline Jones* who was a daughter of *Ned Hart* who was a son of *Catharine Hart* who was a daughter of *Ned Simpson* who was a *Cherokee Indian of the full blood*

Affiant further states that he has known the said *Martha Blevins* for the past *18* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Martha Blevins* indicate that the said *Martha Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Martha Blevins* affiant states he has every reason to believe and does believe that the said *Martha Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Martha Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Martha Blevins*

Attest,

J. H. Banton

William Price

Subscribed and sworn to before me, this *11* day of *August* A. D., 189*6*, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

M. C. Hark J. P.

My commission expires on the _____ day of _____ 189*6*

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, *INDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hark*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

End

3250

Nation's No. 1428

Commission's No.

In re Application of

H. M. Shinn

Demurrer and Answer.

FILED SEPT 25 1900

A. S. MCKENNON

COURT

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
H. M. Blum

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Red Leg*

..... through whom the petitioner..... claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Hastings, Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *17th* day of *Sept* 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of H. M. Blernis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price, Wm Price, Samuel Davis, Wm A. Lewis, J. N. Baldwin, Alfred Barker

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 4 day of September, 1896.

J. N. Baldwin
M. H. Swails Notary Public

My Commission Expires Mar 4th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Wm. C. Coker*

Your petitioner, *J. H. Blevins*, earnestly and respectfully represents that he is *an*

Thirty-Six years of age, Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

Red Simon, through his father *Willard Blevins* who

was a son of *George Blevins* who was a son

of *Sybil Blevins* who was a daughter of *Owen*

Simon who was a son of *Red Simon*

a full blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *John H. Blevins*, age *36* years,

residence *Ashe*, in the State of *N.C.*, postoffice address.....

Wendell, County of *Ashe*, State of *N.C.*, occupation that of a

farmer, *can improve and have two children*

to wit *Morgan Blevins aged 4 years*

North H. Blevins " 1 year

Attesting witnesses,

J. H. Blevins [SEAL.]

[SEAL.]

STATE OF *North Carolina*

COUNTY OF *Ashe*

Personally appeared before me, *N. H. Hurley*, a Justice of the Peace

in and for said county in the State aforesaid, *J. H. Blevins*, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being

duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,

this the *17* day of *May* 189*6*.

Attesting witnesses,

J. H. Blevins [SEAL.]

[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *17* day of

May 189*6*, and I do certify that I am personally acquainted with *J. H. Blevins*

the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of

the Courts of the State of *N.C.*, and that I have no interest directly or indirectly in the

prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that.....

Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a

Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts

are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of

said Court, this *19* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BANTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7* 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in, and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Boyle, in said County, and that he is personally acquainted with A. M. Stevin, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said A. M. Stevin is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 5 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, on 3rd day of September, A. D., 1898.
M. S. Roberts, Notary Public.

My Commission expires, March 7, 1900.

Registered
#2759 3250

No.

IN THE MATTER OF

H. M. Blevins

Claim to Citizenship in Cherokee

Nation, I. T.

Po. Crumpler N.C.,

(Sizemore family)

Filed Sep 8th 1896

A. S. McKinnon

Comm

John Baldwin

Silas Creek

N.C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF Ashe } ss.

BEFORE ME, the undersigned, a Justice of the Peace in and for the County and State
aforesaid, personally appeared Alfred Barker who after being by me duly sworn states
that he is 77 years of age, and a citizen of Ashe County, and State of North Carolina
and that he is personally acquainted with Abiam Marshal Blevins, who is an applicant for
citizenship in the Cherokee Nation, I. T., and affiant further states that the said Abiam Marshal
Blevins is the identical person he represents himself to be in his application for citizenship
in said Nation, and that the said Abiam Marshal Blevins is the son of Wells and
Catharine Blevins, and that said Wells Blevins was a son of George
and Liddia Blevins and that the said George Blevins was a son of
James and Lydovie Blevins, that the said Liddia Blevins maiden
name was Sejimore, and that she was a daughter of Queen Sej-
more, and that the said Queen Sejmore was a son of the
Sejmore, who was a Cherokee Indian of the full blood.
Affiant further states that he makes these statements
from his own personal knowledge of the parties spoken of above.

Affiant further states that he has known the said Abiam Marshal Blevins for the past years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance,
language and manners of the said Blevins indicate that the said Blevins
is of Indian blood. That from the above facts and circumstances and from statements made to him by the
said Blevins affiant states he has every reason to believe, and does believe that
the said Blevins is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said
Abiam Marshal Blevins to citizenship in the Cherokee Nation, I. T., and that
is not related by blood or marriage to the said Abiam Marshal Blevins.
Affiant's postoffice address is Smiths, N.C.

Subscribed and sworn to before me this 15th day of February A. D., 1897, and I further cer-
tify that I am well acquainted with the said Alfred Barker and know him to be a
person of credibility and of truth and veracity.

My commission expires on the day of , 1897

STATE OF NORTH CAROLINA }
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that J. M. Winsley
Winsley Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 17 day of August 1896.

P. Blevins
Clerk Superior Court.

End

3251

2

Nation's No. 1070.
Commission's No
In re Application of

J. H. Blevins, et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
J. H. Blevins, et al.

Nation's No. 1070.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~s~~ are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner ~~s~~ claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, 16th day of April, 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

J. H. Blennis

for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Alfred Price, Wm Price, Sam'l Davis, Wm A. Lewis, Alfred Price*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

To *The Hon James Corn*

Your petitioner *J. H. Blivins*....., earnestly and respectfully represents that he is *an*
Thirty Second..... Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Red Sigmonore....., through *his father Alfred Blivins who was*
a Son of James Blivins Jr who was a Son
of Lydia Blivins who was a daughter of
Owen Sigmonore who was a Son of Red
Sigmonore a full blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *J. H. Blivins*, age *33*..... years,
residence *Ashe Co.*..... in the State of *N.C.*....., postoffice address.....

Chargill County of *Ashe*..... State of *N.C.*..... occupation that of a
farmer I am married and have 2 children
David *Emmett Blivins* aged 12 years
Mary A. Blivins " 9 "

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

J. H. Blivins [SEAL]

STATE OF *North Carolina* ss.
COUNTY OF *Ashe*.....

Personally appeared before me, *L. Hurley*....., a Justice of the Peace
in and for said county in the State aforesaid, *J. H. Blivins*....., the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the *19* day of *Aug*..... 1896.
Attesting witnesses, *J. H. Blivins* [SEAL]

.....[SEAL.]
.....[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *19* day of
Aug 1896, and I do certify that I am personally acquainted with *J. H. Blivins*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *N.C.*....., and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley J.P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. O. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C., that said Sizemore was the son of the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest [Signed] his

J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. *W. A. Lewis* [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. *W. H. Dibbitts*, Notary Public.

My commission expires *Mar 7 1900*

3251

Rejected

No. 2294

IN THE MATTER OF

J. H. Blum

Claim to Citizenship in Cherokee

Nation, I. T.

Po Sturgis, N. C.

(Suzemore family)

Filed Sept 7-1896

as McKinnon
Comm

John Baldwin
Silas Burr

NC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State
aforesaid, personally appeared *Alfred Price*, who after being by me duly sworn states
that he is *76* years of age, and a citizen of *Ashe* County, and State of *N.C.*
and that he is personally acquainted with *J. A. Blevins*, who is an applicant for citizenship
in the *Cherokee* Nation, I. T., and affiant further states that the said *J. A. Blevins*
is the identical person he represents himself to be in his application for citizenship in said Nation, and
that the said *J. A. Blevins* is a Son of *Alfred Blevins*
who was a Son of James Blevins Jr who was
a Son of Lydia Blevins who was a daughter
of Owen Simpson who was a Son of
Red Simpson a full blood Cherokee
Indian

Affiant further states that he has known the said *J. A. Blevins* for the past *30* years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance,
language and manners of the said *J. A. Blevins* indicate that the said *J. A. Blevins*
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
Ancestors affiant states he has every reason to believe and does believe that the said
J. A. Blevins is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said
J. A. Blevins to citizenship in the *Cherokee* Nation, I. T., and that he is not
related by blood or marriage to the said *J. A. Blevins*. *Not a husband of Indian*
and white descent
Attest, *Alfred Price*
marry

Subscribed and sworn to before me, this *15* day of *August* A. D. 189*6*, and I further certify
that I am well acquainted with the said *Alfred Price* and know him to be a person
of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 189*6*.

L. Hurley J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *L. Hurley*,
Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *18* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court.

End

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Dames Commission*

Your petitioner, *Wells L. Blevins*, earnestly and respectfully represents that he is *one*

second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

Ned Sizemore through *his father George Blevins, who was a*
son of George Blevins who was a son of Lyddia Blevins
who was a daughter of said Ned Sizemore a Cherokee
Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee N: and asks for a full and complete investigation of his claim and if the same is found to be valid and correct herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Wells Lihm Blevins*, age *twenty-three* years, residence *Ashe, Co.*, in the State of *North Carolina*, postoffice address *Example*, County of *Ashe*, State of *North Carolina*, occupation that of a *farmer*

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
[SEAL.]

Wells L. Blevins.....[SEAL.]

STATE OF *North Carolina* } ss.
 COUNTY OF *Ashe* }

Personally appeared before me, *M. C. Nash*, a Justice of the Peace in and for said county in the State aforesaid, *Wells Lihm Blevins* the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the *27* day of *July* 189*6*

Attesting witnesses,

Wells L. Blevins [SEAL.]

.....[SEAL.]
[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *27* day of *July* 189*6* and do certify that I am personally acquainted with *Wells Lihm Blevins* the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Nash J.P.

STATE OF NORTH CAROLINA, } ss.
 ASHE COUNTY, }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Nash*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12* day of *August* 189*6*.

P. Blevins
 Clerk Superior Court.

Clarke
to Wells L. Blinn
to 3 Clarke
Cherokee Indian Cts-
Genship

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM. *Claimant*

Of *Wells L. Blevins* To Cherokee Indian Citizenship.

AFFIDAVIT OF

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *27* day of *July*, A. D., 189*6*, personally before me *M. C. Nash*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Wells L. Blevins*, aged *23* years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Cumpleton N.C.*, who after
being duly sworn according to law, says that he is *one sixteenth* Indian by *blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he*
derives his Indian blood from his ancestor, the
said Ned Sizemore, a full blood Cherokee Indian,
as set forth in his Petition and Memorial

and is a direct lineal descendant of the *Sizemore* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Sizemore family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *sixteenth* Indian by *blood*.

Affiant further says the above statements are true to the best of his knowledge and belief.

Wells L. Blevins

Subscribed and sworn to before me, this *27* day of *July*
A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe him to be a credible person.

M. C. Nash J.P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owan Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

O., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelle Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co. Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis Notary Public.
My commission expires *March 7, 1900*

3252
Repealed
V

No. 2250

IN THE MATTER OF

Walter L. Brown

Claim to Citizenship in Cherokee

Nation, I. T.

For Cherokee N.C.

(Sequoyia family)

Filed Sept 8-1894

A S McKinnon
Attorney

John Baldwin
Silas Brock
N.C.

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *Wells L. Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Wells L. Blevins* is the identical person he represents *him* self to be in his application for citizenship in said Nation, and that the said *Wells L. Blevins* is a son of *George Blevins* who was a son of *George Blevins* who was a son of *Sydia Blevins* who was a daughter of *Owain Squire* who was a son of *Med Squire* who was a *Cherokee* Indian of the full blood.

Affiant further states that he has known the said *Wells L. Blevins* for the past *20* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Wells L. Blevins* indicate that the said *Wells L. Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Wells L. Blevins*, affiant states he has every reason to believe and does believe that the said *Wells L. Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Wells L. Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Wells L. Blevins*.

Attest, *J. H. Boster*

William L. Price
J. P.

Subscribed and sworn to before me, this *11* day of *August* A. D. 1896, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

Wm. C. Hask J. P.

My commission expires on the _____ day of _____ 189 _____

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *Wm. C. Hask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19th* day of *August* 1896.

P. Blevins
Clerk Superior Court.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Wells L. Blevins* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Wm Price, Alfred Price, Samuel Davis, Wm A. Lewis, Wm Price*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
M. H. Davis Notary Public

my Commission Expires Mar 7 1900

Nation's No. 994.
Commission's No
In re Application of
Wills Blevins, et al.

Demurrer and Answer.

FILED SEPT 26 1893
A. S. MCKENNEY
COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Wills Blevins, et al.....

Nation's No. 994.....

Commission's No.....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~s~~ are...
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner ~~s~~ claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof,

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 12th day of July, 1896.

D. J. Wall

NOTARY PUBLIC.

End

3253

Nation's No. 1793

Commission's No.

In re Application of

John S. Smith

Demurrer and Answer.

SEP 10 1893
A. S. McKENNON
COM R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that John L. Adair

..... through whom the petitioner..... claim to derive his right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Futchings, Hastings & Bowditch Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the 17th day of Sept 1896.

D. H. Bule

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Justin Blevins

for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Alfred Price, Samuel Davis*
Wm. A. Lewis, J. H. Barton & Wm. Price

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

Change
to } Justin Blevins
3 } Clamant
3 }
Cherokee Indian Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. James Commission:

Your petitioner, Justin Blewins, earnestly and respectfully represents that she is one
~~Cherokee Indian~~ Cherokee Indian by blood, deriving the same from ~~her~~ ^{her} lineal ancestor, the late
Ned Sizemore through his father Albert Blewins, who
is a son of James Blewins, who was a son of Lydia Blewins,
who was a daughter of said Ned Sizemore, who was a
Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her
 application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
 plete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be
 allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Justin Blewins, age twenty-two years,
 residence Ash Lee, in the State of North Carolina postoffice address Swamp
 County of Ash, State of N.C., occupation that of a

Attesting witnesses,

J. F. Porter [SEAL]
R. B. Appleton [SEAL]
 State of North Carolina
 County of Ash

Most Respectfully Submitted,

Justin Blewins [SEAL]

Personally appeared before me, J. A. Pierce, a Justice of the Peace
 in and for said county in the State aforesaid, Justin Blewins, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory; U. S. A., who after being
 duly sworn according to law states that the facts set forth in her said petition above are true as stated
 therein, this the 16 day of July 1896.

Attesting witnesses,

J. F. Porter [SEAL]
R. B. Appleton [SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 16 day of
July 1896, and I do certify that I am personally acquainted with Justin Blewins
 the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the
 Courts of the State of North Carolina and that I have no interest directly or indirectly in the pro-
 secution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

J. A. Pierce J. P.

NORTH CAROLINA, ss.
 ASH COUNTY.

I, POINDEXTER BLEWINS, Clerk of the Superior Court of said county, do certify that J. A. Pierce
Pierce, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this 19 day of August, 1896.

P. Blewins
 Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Jestie Blevins* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

State of *North Carolina*
County of *Ashe*

On this, the *16* day of *July* A. D., 189*6*, personally before me, *J. A. Pierce*
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Jestie Blevins*, aged *21* years, a resident of *Ashe*
County, and State of *North Carolina*, whose post office is *Sussex* who after
being duly sworn according to law, says that she is *one* ~~*Sixteenth*~~ *half* Indian by blood and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she derives*

her Indian blood from her ancestor, the late
Ned Sizemore as set out in her Petition
and Memorial

and is a direct lineal descendant of the *Sizemore* family, whose name she believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that she believes the said *Sizemore family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical
appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one ~~*Sixteenth*~~ *half* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

.....*J. A. Pierce*.....
Subscribed and sworn to before me, this *16* day of *July*
A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe her to be a credible person.

J. A. Pierce J.P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barten, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Mayersford, in said County, and that he is personally acquainted with Justin Blevins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Justin Blevins is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by the neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Barten day of September, A. D., 1896.

M. H. Blevins, Notary Public.

My Commission expires, March 7, 1900.

#2140

3253

Rejected

No....

IN THE MATTER OF

Justin Blewitt

Claim to Citizenship in

Cherokee

Nation, J. T.

Po Surver N.C.

(Sizemore family)

Filed Sep 8th 1896

A. S. McKinnon

Comm

John Baldwin

Silas Creek

NC

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared William Price, who after being by me duly sworn states that he is 86 years of age, and a citizen of Ashe County, and State of North Carolina and that he is personally acquainted with Jestie Blevins, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Jestie Blevins is the identical person s he represents himself to be in his application for citizenship in said Nation, and that the said Jestie Blevins is a daughter of Albert Blevins, who is a son of James Blevins who was a son of Lydia Blevins who was a daughter of Owen Squire, who was a son of Ned Squire who was a Cherokee Indian of the full blood.

Affiant further states that he has known the said Jestie Blevins for the past 20 years and knows that she is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Jestie Blevins indicate that the said Jestie Blevins is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Jestie Blevins affiant states he has every reason to believe and does believe that the said Jestie Blevins is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Jestie Blevins to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Jestie Blevins.

Attest, J. H. Baston

William Price
mark

Subscribed and sworn to before me, this 11 day of August A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

M. C. Hask J. P.

My commission expires on the _____ day of _____, 189 .

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

End

3254

Nation's No. 1429

Commission's No.

In re Application of

Allen Blaine

Demurrer and Answer.

FILED SEPT 25 1888

A. S. MCKENNA

CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of Chas. B. Blair Nation's No. _____
Commission's No. _____
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

- 1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.
- 2nd. That the application does not state facts sufficient, if true, to show that the applicant is
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Red Leggings through whom the petitioner claim to derive his right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Edwin Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 17th day of Sept, 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Allen Blevins

for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of

*Alfred Price, Wm Price, Saml Davis,
Wm A Lewis, J. G. Lewis & Wesley Blevins*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public

My Commission expires Nov. 7 1900.

Petition and Memorial
For Cherokee Indian Citizenship.

To The Hon James Carr,
your Petitioner, Wilson Blevins, it is Proven,
Earnestly and Respectfully Represents that he is
one Sixteenth Cherokee Indian in Blood.

Deriving the same from his lineal ancestor The
Late Ned Sizemore Through his Father, Peter Blevins
who was a son of Lydia Blevins who was a
daughter of even Sizemore who was a son of
Ned Sizemore a full blood Cherokee Indian.

your Petitioner hereby Submits to your Honorable
body the above Statement of facts as grounds
for his application for Cherokee Indian Citizenship
as aforesaid in the Cherokee Nation, and asks
for full and complete investigations of his claim
and if the same is found to be correct as herein
stated, that he be allowed all the Rights,
Privileges and immunities of other Citizens of said
Nation.

Petitioner's full Name is Wilson Blevins
age 66 years, residence Lake in the State of
North Carolina Postoffice address Hermitage,
County of Lake, State of V.C. Occupation
that of a Farmer. I am married and have 7
children to wit. James M. age 38 years, Thomas C. 29
years, Harten age 26 years, Pinodexter age 24 years,
Martha age 19 years, Lydia age 12 years,
Isaac age 10 years.

Attesting witness, Most Respectfully Submitted,
(seal) Allen Blevins, Esq.
(seal)

State of North Carolina
County of Ashe
Personally appeared before me, Wm. Miller, a
Justice of the Peace, in and for said County
in the State aforesaid, Allen Blevins, the
Petitioner in the above Petition for Cherokee
Indian Citizenship in the Cherokee Nation
Indian Territory, U.S. 4., who after being duly
sworn according to Law states that the facts set
forth in his said Petition above are true as
stated therein, on this the 10th day of Aug 1896.
Attesting witness

(seal) Wm Miller J.P. (seal)
(seal)

Subscribed and sworn to before me, a
Justice of the Peace as aforesaid, on this the 10th
day of Aug 1896 and I do certify that I
am personally acquainted with Allen Blevins
the said Petitioner, and know that he is
a Credible Person and Entitled to full faith
and credit before any of the courts of the
State of N.C. and that I have no interest
directly or indirectly in the Prosecution of his
said Claim for Cherokee Indian Citizenship and
am ~~not~~ Related to him by blood or marriage.

Wm Miller J.P.

| | |
|--|--|
| STATE OF NORTH CAROLINA, } ss. Ashe County. | |
| I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Wm | |
| Miller....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a | |
| Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts | |
| are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of | |
| said Court, this 19. day of August 1896. | |
| P Blevins Clerk Superior Court. | |

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others; and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] J. H. BARTON, his WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. *W. A. Lewis* [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. *W. A. Lewis*, Notary Public.

My commission expires *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. L. Lewis, who after being by me duly sworn states that he is 44 years of age, and a resident of Wagon County, and State of North Carolina, whose postoffice address is Indian, in said County, and that he is personally acquainted with Allen Blum, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Allen Blum is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 14 day of September, A. D., 1896.
W. H. Swick, Notary Public.

My Commission expires, March 7, 1900.

2497

3254

Register

No.

IN THE MATTER OF

Allen Blum

Claim to Citizenship in ~~France~~

Nation, I. T.

Po Hermitage N.C.

(Bignione family)

Filed Sep 8th 1896

Attestation

Conr

John Baldwin

Silas Conr

NC

AFFIDAVIT OF WITNESS.

State of *North Carolina*. }
County of *Ashe*..... } ss.

Before me, the undersigned, a *Justice of the Peace* in and for the County and State
aforesaid, personally appeared *Wesley Blevins* who after being by me duly sworn states
that *he* is *69* years of age, and a citizen of *Ashe* County, and State of *North Carolina*,
and that *he* is personally acquainted with *Allen Blevins* who is an applicant for
citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Allen*
Blevins is the identical person he represents *himself* to be in his application for citizenship
in said Nation, and that the said *Allen Blevins* is the son
of *Wells Blevins*, who is the son of *Lepher Blevins*
who is the daughter of *Owen Sizemore*, who
is the son of *Wet Sizemore*, a full blood
Cherokee Indian

Affiant further states that he has known the said *Allen Blevins* for the past *46* years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance,
language and manners of the said *Allen Blevins* indicate that the said *Allen Blevins*
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
Allen Blevins affiant states he has every reason to believe, and does believe that the said
Allen Blevins is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Allen*
Blevins to citizenship in the *Cherokee* Nation, I. T., and that he is not related
by blood or marriage to the said *Allen Blevins* that *he* is of *white*
and *Cherokee* descent *Wesley Blevins*

Subscribed and sworn to before me this *10* day of *Aug* A. D., 189*6* and I further cer-
tify that I am well acquainted with the said *Wesley Blevins* and know him to be a
person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 189*6*

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *Wesley Blevins*
Wesley Blevins, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *12* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court.

End

3255

Nation's No. 1754
Commission's No.
In re Application of

Thomas P. Blowers

Demurrer and Answer.
FILED SEPT. 2 1888.
A. S. McKENNON
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Thomas A. Blount

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Not Sufficient*

..... through whom the petitioner..... claims to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Healinge, Belchins & Bonding* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept*, 1896.

D. J. Baile

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Thomas R. Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Wm Price, Alfred Price, Sam'l Davis, Wm A. Lewis, Wm Price

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
M. H. Davis Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

To The Hon. Dawes Commission:

Your petitioner, Thomas R. Blevins, earnestly and respectfully represents that he is one
thirty-second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sigmon, through his father George Blevins who
is a son of Eli Blevins who was a son of Lyd
na Blevins who was a daughter of Owen Sigmon
who was a son of Ned Sigmon who was a Chero-
kee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Thomas R. Blevins, age twenty-six years,
residence Atlee Co. in the State of North Carolina, postoffice address Atlee
Co. County of Atlee State of North Carolina occupation that of a
farmer and is a married man and the father of one
infant child, Wm. C. Blevins, aged 3 years

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]
[SEAL]
STATE OF North Carolina ss.
COUNTY OF Atlee

Thomas R. Blevins [SEAL]

Personally appeared before me, L. Hurley, a Justice of the Peace
in and for said county in the State aforesaid, Thomas R. Blevins, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the 14 day of July 1896.
Attesting witnesses, Thomas R. Blevins [SEAL]

[SEAL]
[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 14 day of
July 1896, and I do certify that I am personally acquainted with Thomas R. Blevins
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley J.P.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, POINDEXER BLEVINS, Clerk of the Superior Court of said county, do certify that
Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

Thomas R. Blinn

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of *Thomas R. Blevins* To Cherokee Indian Citizenship

AFFIDAVIT OF *Claimant*.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

On this, the *14* day of *July*, A. D., 189*6*, personally before me *L. Hurley*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Thomas R. Blevins*, aged *26* years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Silas Creek, N.C.* who after
being duly sworn according to law, says that he is *one third, second* Indian by *blood*, and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he derives*
his Indian blood from his ancestor, the late
Ned Squire as set out in his Petition and
Memorial

and is a direct lineal descendant of the *Squire* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Squire family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *third, second* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Thomas R. Blevins

Subscribed and sworn to before me, this *14* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe him to be a credible person.

L. Hurley J.P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine, who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace, in and for the county of Ashe, State of North Carolina, Alfred Price, aged 78 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss:
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] J. H. BARTON, his mark. WILLIAM PRICE.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis, Notary Public.

My commission expires *Mar 7* 1900, 189.

Rejected

No. ~~2242~~

IN THE MATTER OF

Thomas R. Blevins

Claim to Citizenship in Cherokee

Nation, I. T.

Do Silas Creek N.C.

(Squire family)

Filed Sept 7-1894

A S McKinnon
Clerk

John Baldwin
Silas Creek
N.C.

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *46* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *Thomas R. Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Thomas R. Blevins* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *Thomas R. Blevins* is a son of *George Blevins* who is a son of *Eli Blevins* who was a son of *Liddie Blevins* who was a daughter of *Owen Sizemore* who was a son of *Ned Sizemore* who was a Cherokee Indian of the full blood; and is the father of one minor child, *Wm. E. Blevins*

Affiant further states that he has known the said *Thomas R. Blevins* for the past *21* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Thomas R. Blevins* indicate that the said *Thomas R. Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Thomas R. Blevins* affiant states he has every reason to believe and does believe that the said *Thomas R. Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Thomas R. Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Thomas R. Blevins*

Attest, *J. H. Barten*

William Price
Justice of the Peace

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

M. C. Hask J. P.

My commission expires on the _____ day of _____ 189 _____

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of _____ day of _____, 189*6*.

P. Blevins
Clerk Superior Court.

End

326

Nation's No.984.

Commission's No

In re Application of

Levi C. Blevins, et al.

Demurrer and Answer.

FILED SEPT 21 1891
A. S. MCKEIN

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Levi C. Blevins, et al.

Nation's No. 984.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are....
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner^s claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By..... Hutchings, Hastings & Bondinot..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 12th day of Sept. 1896.

D. A. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Levi C. Blennis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Rice, Wm Rice, Samuel Davis, Wm A. Lewis, J. N. Baldwin, Alfred Barker

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7 day of September, 1896.

J. N. Baldwin
Notary Public
my Commission expires Mar. 7 1900.

Petition and Memorial
For Cherokee Indian Citizenship.

To The Hon. Dawes Commission

Your petitioner Levi C. Blevins earnestly and respectfully represents that he is an sixteenth Cherokee Indian by blood deriving the same from his lineal ancestor the late Ned Sizemore through his father Wesley Blevins who was a son of Daniel Blevins who was a son of Lydia Blevins who was a daughter of Owen Sizemore who was a son of Ned Sizemore a full blood Cherokee Indian Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other Citizens of said Nation.

Petitioner's full name is Levi C. Blevins age 24 years Residence Ashe County in the State of North Carolina Post-office address Nathan's Creek County of Ashe State of North Carolina occupation that of a Farmer I am a married man and have one child to wit: Ida May age 8 months

Attesting witnesses } Most Respectfully Submitted

J. A. Baldwin

Levi C. Blevins

Seal

State of North Carolina

County of Ashe

50 | FRAME 1

before me

Personally appeared

a Justice of the Peace in and for said County in the State of North Carolina

~~the petitioner~~
The above petitioner for Cherokee Indian Citizenship in the Cherokee Nation Indian Territory U.S.A. who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein

This the day of August 1896

Attesting witnesses

Levi C. Blevins

Seal

J. A. Baldwin

Subscribed and sworn

to before me a Justice of the Peace as aforesaid on this 19 day of August 1896 and I do certify that I am personally acquainted with Levi C. Blevins the said petitioner

your honorable body the above statement of facts are grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Levi C. Blevins age 24 years Residence Ashe County in the State of North Carolina Post-office address Nathans Creek County of Ashe State of North Carolina Occupation that of a Farmer I am a married man and have one child to wit: Ida May age 8 months

Attesting witnesses } Most Respectfully Submitted
J. J. Baldwin } Levi C. Blevins

State of North Carolina
County of Ashe

Personally appeared before me a Justice of the Peace in and for said County in the State aforesaid Levi C. Blevins the petitioner in the above petition for Cherokee Indian Citizenship in the Cherokee Nation Indian Territory U.S. N. who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein this the 19th day of August 1896

Attesting witnesses } Levi C. Blevins
J. J. Baldwin } mark

Subscribed and sworn to before me a Justice of the Peace as aforesaid on this 19th day of August 1896 and I do certify that I am personally acquainted with Levi C. Blevins the said petitioner and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of N.C. and that I have no interest directly or indirectly in the prosecution of this said claim for Cherokee Indian Citizenship and am not related to him by blood or marriage
L. Hurley, J.P.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that L. Hurley Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19th day of August 1896.

P. Blevins
Clerk Superior Court.

FRAME 2

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 80 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest (Signed) his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by
(Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

(Signed) his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) L. HURLEY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by
(Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. *W. A. Lewis* [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. *W. A. Lewis*, Notary Public.

My commission expires *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with Levi C. Blvin, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Levi C. Blvin is the identical person he represents him self to be in an application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Baldwin day of September, A. D., 1898.
J. H. Baldwin, Notary Public.

My Commission expires, March 7, 1900.

Affidavit of Witness

State of North Carolina
County of Ashe

Before me the undersigned a Justice of the Peace in and for the County and State aforesaid personally appeared Alfred Barker who after being by me duly sworn states that he is 80 years of age and a citizen of Ashe County and State of North Carolina and that he is personally acquainted with Levi C. Blevins who is an applicant for citizenship in the Cherokee Nation I.T. and Affiant further states that the said Levi C. Blevins is the identical person he represents himself to be in his application for citizenship in said Nation and that the said Levi C. Blevins is a son of Wesley Blevins who was a son of Danell Blevins who was a son of Lydia Blevins who was a daughter of Owen Sizemore who was son of Ned Sizemore a full blood Cherokee Indian Affiant further states that he has known the said Levi C. Blevins for the past years and knows that he is and has been recognized by his neighbors and acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion physical appearance language and manners of said ancestors indicate that the said Levi C. Blevins is of Indian blood that from the above facts and circumstances and from statements made to him by said Levi C. Blevins Affiant states that he has every reason to believe and does believe that said Levi C. Blevins is of Cherokee Indian blood Affiant further states that he has no interest whatever in the prosecution of the claim of the said Levi C. Blevins to citizenship in the Cherokee Nation I.T. and that he is not related by blood or marriage to the said Levi C. Blevins that he is of white and Cherokee descent

Alfred Barker

FRAME 1

Subscribed and sworn to before me this 18 day of August A.D. 1896 and I further certify that I am well acquainted with the said Alfred Barker and know him to be a person of credibility and of truth and veracity J. M. Armesley J.P.

states that ~~the said Levi C. Blevins is the~~
identical person he represents himself
to be in his application for citizenship
in said Nation and that the said
Levi C. Blevins is a son of Wesley Blevins,
who was a son of Danell Blevins who
was a son of Lydia Blevins who was
a daughter of Owen Sizemore who
was son of Ned Sizemore a full
blood Cherokee Indian Affiant further
states that he has known the said
Levi C. Blevins for the past years
and knows that he is and has been recognized
by his neighbors and acquaintances and the
public generally as a person having Cherokee
Indian blood and that the complexion
Physical appearance language and
manners of said ancestors indicate
that the said Levi C. Blevins is of Indian
Blood that from the above facts and circum-
stances and from statements made to him
by said Levi C. Blevins Affiant states that
he has every reason to believe and does
believe that said Levi C. Blevins is of
Cherokee Indian Blood Affiant further
states that he has no interest whatever
in the prosecution of the claim of the
said Levi C. Blevins to citizenship in the
Cherokee Nation I.T. and that he is not
related by blood or marriage to the said
Levi C. Blevins that he is of white and
Cherokee descent

Alfred Barker

Subscribed and sworn to before me this 18
day of August A.D. 1896 and I further
certify that I am well acquainted with
the said Alfred Barker and know him
to be a person of credibility and of
truth and veracity J. M. Annisley J.P.

My Commission Expires on the 1st day of
August 1898

FRAME 2

NORTH CAROLINA, }
Ashe County. }
I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ... J. M. ...
Annisley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19th day of August, 1896.

P. Blevins
Clerk Superior Court.

#2769

Rejected

Levi C. Allwin
Claimant
to ~~Shore Indian~~
Citizenship
Po Nathans Creek N.C.

(Sizemore family)
Filed Sep 8th 1896
As McKinnon
Comm

John Baldwin
Silas Lusk
Mc

End

3257

Nation's No. **2370**

Commission's No

In re Application of

Mary Blum

Demurrer and Answer.

FILED SEPT. 25 1896 ☆

A. S. MCKENNON

COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Mary Alvins

Nation's No. *2370*

Commission's No. _____

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is* entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that *his* *Sigerson*

through whom the petitioner *claim* to derive *their* right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Nathan Hastings* *Hastings & Co. and sons* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *21* day of *Sept*, 1896.

D. J. Ball

NOTARY PUBLIC.

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon Dawes Com.* (It is proven and she believes
Your petitioner, *Mary Blevins*, earnestly and respectfully represents that she is *one*
Sixteenth ~~first~~ ^{second} Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Ned Sizemore, through her father *Allen Blevins* who
was a son of *Wells Blevins* who was a son of
Sydia Blevins who was a daughter of
Owen Sizemore who was a son of *Ned*
Sizemore who was a full blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Mary Blevins* age *21* years,
residence *Ashe Co.* in the State of *N.C.* postoffice address.....
Grimsley County of *Ashe* State of *N.C.* occupation that of a
Housewife I am married and have two children
to wit *Freeman* age 2 years + 11 months and
Joe Judson age one year

Attesting witnesses,

L. S. Moore [SEAL]
Sibbie Brooks [SEAL]

STATE OF *North Carolina*
COUNTY OF *Ashe*

Most Respectfully Submitted,

Mary Blevins [SEAL]
Mary

Personally appeared before me, *J. M. Grimsley J.P.*
in and for said county in the State aforesaid, *Mary Blevins*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated therein,
this the *14* day of *August* 189*6*

Attesting witnesses,

L. S. Moore [SEAL]
Sibbie Brooks [SEAL]

J. M. Grimsley [SEAL]

Subscribed and sworn to before me, a *Justice* as aforesaid, on this *14* day of
Aug 189*6* and I do certify that I am personally acquainted with *Mary Blevins*
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

J. M. Grimsley J.P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *J. M. Grimsley*,
Grimsley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *9* day of *August* 1896.

P. Blevins
Clerk Superior Court.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Mary Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price, Wm. Price, Samuel Davis, Wm. A. Lewis, J. G. Lewis, Wesley Blevins

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7th day of September, 1896.

J. N. Baldwin
Notary Public
My Commission expires Nov. 7 1900.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Ned Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, [Signed] WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice, certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; that said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice, certified by Clerk of court under seal of court.)

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. G. Lewis, who after being by me duly

Affirmed states that he is 44 years of age, and a resident of Washington County, and State of North Carolina, whose postoffice address is Madison, in said County, and that he is personally acquainted with Mary Blevins, who is an

applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Mary Blevins is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states she has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and affirmed to before me, this 10 day of September, A. D., 1896.
J. G. Lewis
M. H. Roberts, Notary Public.

My Commission expires, March 7, 1900.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 14 1900*, 189...

Affidavit of Witness

State of North Carolina } S.S.
County of Ashe }

Before me, the undersigned
a Justice of the peace in and for the County and
State aforesaid personally appeared Wells
Blevins, who after being by me duly sworn
states that he is 67 years of age and a citizen
of Ashe County and State of N.C. and that he
is personally acquainted with Mary Blevins who
is an applicant for citizenship in the Cherokee
Nation I.T. and affiant further states that the said
Mary Blevins is the identical person she represents
herself to be in her application for citizenship in
said Nation and that the said Mary Blevins
is the daughter of Allen Blevins, who was a son
Wells Blevins, who was a son of Lydia Blevins,
~~and was a daughter of Green Sizemore, who~~
who was a son of ~~Ed~~ Sizemore a full blood
Cherokee Indian

Affiant further states that
he has known the said Mary Blevins for the
past 20 years and knows that she is and has
been recognized and treated by her neighbors
acquaintances and the public generally as a person
having Cherokee Indian blood and that the complexion
physical appearance, language, and manners
of the said ancestors indicate that the said

Mary Blevins is of Indian Blood. That from the above facts and circumstances and from statements made to him by the said ancestors Affiant states he has every reason to believe and does believe that the said Mary Blevins is of Cherokee Indian Blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Mary Blevins to Citizenship in the Cherokee Nation I.T. and that he is not related by Blood or marriage to the said Mary Blevins that she is of white and Cherokee Indian descent

Wesley Blevins

Subscribed and Sworn to before me this the 13 day of August A.D. 1896 and I further Certify that I am well acquainted with the said Wesley Blevins and know him to be a person of Credibility and of Truth and Veracity.

J. M. Miller

My Commission Expires on the day of

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Wesley Blevins, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14 day of August 1896.

P. Blevins
Clerk Superior Court.

End

3258

Nation's No. 1094.

Commission's No.

In re Application of

John W. Tucker, et al.

Demurrer and Answer.

Filed Sept. 25 1896. *

-A. S. KIRBY-

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
John W. Tucker, et al. Nation's No. 1094.
..... Commission's No.
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are....
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Red Sizemore.....

..... through whom the petitioner's claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 16th day of Sept. 1896.

John L. Adair
D. P. Ball
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

John W. Tucker for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Rice, Wm Rice, Wm A. Lewis, J. M. Baldwin & Wesley Barnes*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1901

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon James Com,

it is known

Your petitioner, John W. Tucker, earnestly and respectfully represents that he is

and that he is, Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

Red Sigeamore, through his wife Mahala Tucker,

who was a daughter of Wells Blewitt who was a son of Sophia Blewitt who was a daughter of Brown Sigeamore who was a son of Red Sigeamore a full blood Cherokee Indian.

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is John W. Tucker age fifty years,

residence Wake, in the State of N.C., postoffice address

Wake County of Wake, State of N.C., occupation that of a

Merchant. I have 7 children to wit: Laura M. age 27 years, Nathan B. age 24 years, Harrison G. age 21 years, Mahala E. age 19 years, David age 17 years, John age 15 years, Rosa age 13 years, James age 11 years, Hannah age 8 years.

Attesting witnesses,

Most Respectfully Submitted,

[SEAL.]

[SEAL.]

STATE OF N.C.

COUNTY OF Wake

Personally appeared before me, Wm. Miller, a Justice of the Peace

in and for said county in the State aforesaid, John W. Tucker, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being

duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,

this the 13 day of Aug 1896.

Attesting witnesses, Wm. Miller, J. P. [SEAL.]

[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 13 day of

Aug 1896, and I do certify that I am personally acquainted with John W. Tucker

the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of

the Courts of the State of N.C., and that I have no interest directly or indirectly in the

prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

Wm. Miller, J. P.

STATE OF NORTH CAROLINA, } ss.

ASSESSOR

I, POINDEXTER BREVINS, Clerk of the Superior Court of said county, do certify that

Wm. Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a

Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts

are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of

said Court, this 19 day of August, 1896.

P. Blevins

Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1898.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1898, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelle Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T. :

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]

M. H. Davis, Notary Public.

March 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. T. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is And, in said County, and that he is personally acquainted with John W. Tucker, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said John W. Tucker is the identical person he represents him self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; ~~and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood.~~ That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 3rd day of September, A. D., 1896.

M. J. Daniels, Notary Public.
My Commission expires, March 7, 1900.

#2946

3258

No.

IN THE MATTER OF

John W. Tucker

Claim to Citizenship in

Nation, I. T.

Do Weard N. C.

(Sizemore family)

Filed Sep 8th 1896

A. McKinnon

Comr

John B. Dawson

Silas C. Cook

Respectfully

AFFIDAVIT OF WITNESS.

STATE OF IND. } ss.
COUNTY OF IND. }

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Wesley Blevins, who after being by me duly sworn states that he is 22 years of age, and a citizen of Ind. County, and State of A. C. and that he is personally acquainted with John W. Tucker, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said John W. Tucker is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said John W. Tucker is a son of Mahala Tucker who was a daughter of Netta Blevins, who was a son of Lydia Blevins, who was a daughter of Queen Azemore, who was a son of Red Azemore, a full blood Cherokee Indian.

Affiant further states that he has known the said John W. Tucker for the past 50 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said John W. Tucker indicate that the said John W. Tucker is of Indian blood. That from the above facts and circumstances and from statements made to him by the said John W. Tucker, affiant states he has every reason to believe and does believe that the said John W. Tucker is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John W. Tucker to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said John W. Tucker.

Attest, Wesley Blevins
Subscribed and sworn to before me, this 18 day of Aug. A. D. 1896, and I further certify that I am well acquainted with the said John W. Tucker and know him to be a person of credibility and of truth and veracity. Wesley Blevins
My commission expires on the 18 day of Aug. 1896.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that L. M. Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of August, 1896.

P. Blevins
Clerk Superior Court.

End

3259

Nation's No. 1010.

Commission's No

In re Application of

Lucy T. Testerman, et al.

Demurrer and Answer.

FILED SEPT 20 1896

A. S. MCKENNON

COMMISSIONER

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Lucy C. Testerman, et al.

Nation's No. 1010.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner ~~S~~ claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has ~~not~~ been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 12th day of Sept, 1896.

D. L. Bree

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Lucy C. Testerman for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Alfred Rice, Wm Rice, Samuel Davis, Wm A. Lewis, J. H. Borton, Levi Barker

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 4th day of September, 1896.

J. N. Baldwin
Notary Public
My Commission expires Nov. 7 1900.

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO THE HONORABLE COMMISSIONERS

Your petitioner, Lucy C. Testerman, earnestly and respectfully represents that, she is one

Sixteenth Cherokee Indian by blood, deriving the same from her lineal ancestor, the late

Red Simpson, through her father, Oliver Blewins who

was a son of Daniel Blewins who was a son
of Lydia Blewins who was a daughter of Owen Simpson
who was a son of Red Simpson a full blood
Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name Lucy C. Testerman, age 22 years,

residence Ashe Co., in the State of NC, postoffice address Wilas

Ashe County of Ashe State of NC occupation that of a

housewife, I am married and have two children

to wit Felix Age 2 years

Wilcox Age 6 months

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]

Lucy C. Testerman [SEAL]

.....[SEAL.]

STATE North Carolina ss.

COUNTY OF Ashe ss.

Personally appeared before me, L. Hurley, a Justice of the Peace,

in and for said county in the State aforesaid, Lucy C. Testerman, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being

duly sworn according to law states that the facts set forth in her said petition above are true as stated therein,

this the 19 day of August 1896.

Attesting witnesses, L. Hurley J.P. [SEAL]

.....[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 11 day of

Aug 1896, and I do certify that I am personally acquainted with Lucy C. Testerman

the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of

the Courts of the State of NC, and that I have no interest directly or indirectly in the

prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

L. Hurley J.P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY, ss.

I, POINDEXTER BLEWINS, Clerk of the Superior Court of said county, do certify that L.

Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a

Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts

are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of

said Court, this 19 day of August 1896.

P. Blewins
Clerk Superior Court.

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

Of Lucy C. Listerman To Cherokee Indian Citizenship.

AFFIDAVIT OF claimant

STATE OF North Carolina } ss.
COUNTY OF Ashe

On this, the 11 day of Aug, A. D., 1896, personally before me L. Hurley,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared Lucy C. Listerman, aged 22 years, a resident of Ashe
county, and State of NC, whose postoffice is Silas Creek, who after
being duly sworn according to law, says that she is 1/16 Indian by blood and
a claimant for Cherokee Indian citizenship. Affiant further says on oath that she
desires her Indian blood from her ancestor
the late Ed Listerman a full blood Cherokee
Indian

and is a direct lineal descendant of the Listerman family, whose name she believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said Listerman family to be of Cherokee
Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant
of a Cherokee Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of Cherokee Indian blood and that from her complexion and physical
appearance she has every reason to believe and does believe that she is of Cherokee Indian blood
and is an admixture of White and Cherokee and at least one distinct Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Lucy C. Listerman
Subscribed and sworn to before me, this 11 day of Aug
A. D. 1896, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe her to be a credible person.

L. Hurley, J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that L.
H. Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 17 day of August 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash; George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. *Wm A Lewis* [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. *M. A. Hobbs*, Notary Public.

My commission expires *(Mar 7) 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Reel, in said County, and that he is personally acquainted with Aug. Estrom, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Aug. Estrom is the identical person she represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states she has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me this 27th day of September, A. D., 1896.

M. S. Sivach, Notary Public.
My Commission expires, March 7, 1900.

#2/86
3259

No.

IN THE MATTER OF

Suey B. Tatum

Claim to Citizenship in *Cherokee*

Nation, I. T.

Po Silas Creek N.C.
Filed Sep 24 1886
A. McKinnon
Silas Creek
(Sizemore family)
Replied
John Baldwin
Silas Creek
N.C.

AFFIDAVIT OF WITNESS.

State of *North Carolina* } ss.
County of *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Levi Barker* who after being by me duly sworn states that *he* is *81* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that *he* is personally acquainted with *Suey C Testerman* who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Suey C Testerman* is the identical person *he* represents *himself* to be in his application for citizenship in said Nation, and that the said *Suey C Testerman* was the daughter *Lucero Blevins* who was a son of *Henric Blevins* who was a son of *Sydia Blevins* who was a daughter of *Quere Ligon* who was a son of *Red Ligon* a full blood *Cherokee Indian*.

Affiant further states that *he* has known the said *Suey C Testerman* for the past *15* years and knows that *he* is and has been recognized and treated by *his* neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Suey C Testerman* indicate that the said *Suey C Testerman* is of Indian blood. That from the above facts and circumstances and from statements made to *him* by the said *Suey C Testerman* affiant states *he* has every reason to believe, and does believe that the said *Suey C Testerman* is of *Cherokee* Indian blood. Affiant further states that *he* has no interest whatever in the prosecution of the claim of the said *Suey C Testerman* to citizenship in the *Cherokee* Nation, I. T., and that *he* is not related by blood or marriage to the said *Suey C Testerman*.

Subscribed and sworn to before me this *5* day of *Aug* A. D., *1896*, and I further certify that I am well acquainted with the said *Levi Barker* and know *him* to be a person of credibility and of truth and veracity.

My commission expires on the *1st* day of *June* *1897*

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *E. Phipps*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *14* day of *August* *1896*.

P Blevins
Clerk Superior Court.

End

3260

Nation's No 1112.....
Commission's No.....
In re Application of
Francis W. Weaver, et al.
.....
.....
.....

Demurrer and Answer.

FILED SEPT 25 1904
A. S. MCKENNON
CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Francis E. Weaver, et al. Nation's No. 1112.
..... Commission's No.
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~s~~ are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Cizemore

..... through whom the petitioners claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 17th day of Sept. 1896.

D. L. Wale
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Francis E. Weaver for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price, Wm Price, Sam'l Davis, Wm A. Lewis, J. N. Baldwin and Elisha Blevins

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7 day of September, 1896.

J. N. Baldwin
Notary Public
My Commission expires Mar 7 1900.

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon House Com*

Your petitioner *Francis E. Weaver* *It is requested she be allowed*
Thirty Second, earnestly and respectfully represents that she is an
Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Red Sigmone, through her mother *Louisa Rogers* who
was a daughter of *James B. Baldwin* who was a son
of *Catherine Caldwell* who was a daughter of
Catherine Hart who was a daughter of
Red Sigmone a free blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name *Francis E. Weaver* age *33* years
residence *Waynes Co.*, in the State of *Pa*, post office address *White*
Waynes Co. County of *Waynes* State of *Pa* occupation that of a *Farmer*
I am married and have one child to wit
Robert A. Age 9 years

Attesting witnesses,

J. B. Baldwin [SEAL]
[SEAL]

Most Respectfully Submitted,

Francis E. Weaver [SEAL]
mark

STATE OF *North Carolina* ss.
COUNTY OF *Ashe*

Personally appeared before me, *D. M. Hart*, a Justice of the Peace
in and for said county in the State aforesaid *Francis E. Weaver*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated therein,
this the *7* day of *Aug* 1896

Attesting witnesses,

D. M. Hart [SEAL]
J. P.

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *7* day of
Aug 1896, and I do certify that I am personally acquainted with *Francis E. Weaver*
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of
the Courts of the State of *NC*, and that I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

D. M. Hart, J. P.

STATE OF NORTH CAROLINA, ss.
Ashe County,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *Francis E. Weaver*
Francis E. Weaver, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *12* day of *August* 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } SS,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASE, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his J. H. BARTON, WILLIAM x PRICE mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his ALFRED x PRICE mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. *W. A. Lewis* [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. *W. A. Lewis* Notary Public.

My commission expires *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. L. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wood, in said County, and that he is personally acquainted with James E. Mann, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said James E. Mann is the identical person he represents him self to be in an application for citizenship in said Nation, and that he has known the said applicant for the past 13 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. L. Baldwin, this 3 day of September, A. D., 1896.

W. H. Siback, Notary Public.

My Commission expires, March 7, 1900.

James O. Shearn 60
Claimant
to 3 Charles Indian
Citizenship

Po White Top, Va

#2162

(Suzenor family)

Filed Sep 21 1846

A. M. Kinnison
Clerk

Rejected

John Baldwin

Silas Lusk

Mc

State of N.C.
Ashe Co

Deposition of Witness

Before the undersigned W.H. Blount J.P.

In and for the County of Ashe
and State of N.C. Personally appeared
Elisha Blevins who makes affidavit and who
States on oath that he is 74 years old and a
Citizen of Ashe County N.C. that he is personally
acquainted with Francis E. Weaver who is
an applicant for citizenship in the Cherokee
Nation I.C. And that he has known from
his own personal knowledge that she is the
identical person she represents herself to be
that the said Francis E. Weaver is a daughter
of Louisa Crook whose maiden name was Louisa
Baldwin a daughter of William D. Baldwin a
son of Catherine Colwell whose maiden name
was Catherine Hart whose maiden name
was Catherine Sigmore a daughter of Ned
Sigmore a whole blood Cherokee Indian
affiant further states on oath that he has known
the said Francis E. Weaver for the last 20
years that during that time he was intim-
ately acquainted with Wm. D. Baldwin her
grandfather and knows that they were
known, recognized and treated by their
neighbors and the public generally as persons
of Cherokee Indian descent. That the said
Ned Sigmore emigrated from the Cherokee
Reservation N.C. and settled in Ashe
County N.C. That the complexion physical

appearance, Language and Manners of the
 said Frances E Weaver indicates that she
 is of Cherokee Indian Blood, And that
 she is so known recognized and treated by her
 neighbors and the public generally. And from
 these facts and Circumstances and from statements
 made by the said Frances E Weaver and
 her ancestors affiant has every reason to be-
 lieve and verily doth believe from his own
 personal knowledge and information derived
 from the said Frances E Weaver her ancestors
 and others that the said Frances E Weaver
 is of Cherokee Indian Blood. Affiant further
 states on oath that he has no interest, directly
 or indirectly in the prosecution of the claim
 of the said Frances E Weaver to citizenship
 in the Cherokee Nation I.O. and is not
 related by blood or marriage to the said Frances
 E. Weaver. And she derived her indian blood
 from Ned Sizemore a whole blood Cherokee Indian
 and said Frances E Weaver is of Indian and white
 descent.

Elisha ^{his} Blevins
 Clerk

Subscribed and Sworn to before me this 25th day of Oct.
 1886 and I further certify that I well acquainted with
 said Elisha Blevins and know him to be a person
 of Credibility and of truth and veracity, and that I have
 no interest directly or indirectly in the prosecution
 of the claim of the said Frances E Weaver for citizenship
 in the Cherokee Nation I.O. W H Blevins J.

STATE OF NORTH CAROLINA,
 ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
 Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this 19th day of August 1896.

P. Blevins
 Clerk Superior Court.

End

3261

Nation's No. 1051.
Commission's No
In re Application of

Winfield M. Thompson, et al.

Demurrer and Answer.

26

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Winfield M. Thompson, et al..... Nation's No 1051.....
..... Commission's No.....
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~s~~ are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner^s claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, 16th day of Sept, 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Winfield M. Thompson* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Price, Wm Price, Wm A Lewis, Wesley Blevins*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
W. H. Davis Notary Public

My Commission Expires Mar 4 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO the Hon. Envs. Commissioners
Your petitioner, *W. M. Thompson*, it is shown and known, earnestly and respectfully represents that, he is *one*
thirty-second, Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Red Lige, through his father *James Thompson* who was
a son of *Mary Thompson* whose maiden name was *Mary*
Blevins a daughter of *Lydin Blevins* whose maiden name
was *Lydin Lige* a daughter of *John Lige*,
who was a son of *Red Lige* a full blood
Cherokee Indian.

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *W. M. Thompson* age *32* years.
residence in *Washington D. C.* in the State of *Virginia*, postoffice address *Gross*
Gross County of *Saunder* State of *Virginia* occupation that of a *farmer*
I am married and have 9 children to wit
Becky Jane Thompson age 16 years - Mary E. Thompson age 13
years - Minnie B. Thompson age 12 years - Elsie B. Thompson age 10 years
Coleman B. Thompson age 8 years - James B. Thompson age 6 years
Margie M. Thompson age 4 years - Arthur B. Thompson age 2 years
Attesting witnesses, *Ernesta V. Thompson* Most Respectfully Submitted,

[SEAL] }
[SEAL] }
STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }
Personally appeared before me, a Justice of the Peace
in and for said county in the State aforesaid, *W. M. Thompson*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the *15* day of *Aug* 189*6*.
Attesting witness [SEAL]
[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *15* day of
Aug 189*6*, and I do certify that I am personally acquainted with *W. M. Thompson*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *N.C.* and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }
I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *W. M.*
Thompson, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *19* day of *August*, 189*6*.
P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON, }
his
WILLIAM x PRICE,
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE,
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7* 1900.

3261

V

No. 2290-

IN THE MATTER OF

Winfield M. Thompson

Claim to Citizenship in *Cherokee*

Nation, I. T.

Belmont, Va.

(*Superior family*)

Filed Sept 9 1894

Ripston

John Baldwin

Silas Brock

Mc

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina*
COUNTY OF *Ashe* ss.

Before me, the undersigned, a *Justice of the Peace*, in and for the County and State aforesaid, personally appeared *Wesley Blevins* who after being by me duly sworn states that he is *69* years of age, and a citizen of *Ashe* County, and State of *N.C.* and that he is personally acquainted with *Winfred M. Thompson* who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Winfred M. Thompson* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *W. M. Thompson* is a son of *James Thompson* who was a son of *Mary Thompson* whose maiden name was *Mary Blevins* a daughter of *Lydia Blevins* whose maiden name was *Lydia Sigmon* a daughter of *Olin Sigmon* who was a son of *Ned Sigmon* a full blooded *Cherokee Indian*.

Affiant further states that he has known the said *W. M. Thompson* for the past *35* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *W. M. Thompson* indicate that the said *W. M. Thompson* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *W. M. Thompson* affiant states he has every reason to believe and does believe that the said *W. M. Thompson* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *W. M. Thompson* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *W. M. Thompson*. That the said *W. M. Thompson* is of *white* race and color.
Attest, *Wesley Blevins*

Subscribed and sworn to before me, this *15* day of *Aug* A. D. 189*6*, and I further certify that I am well acquainted with the said *Wesley Blevins* and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 189*6*.

STATE OF NORTH CAROLINA, ss.
Ashe County.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *W. M. Miller*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *17* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court.

End

3262

Nation's No. 1765
Commission's No.
In re Application of

Melissa C. Weaving

Demurrer and Answer.

FILED SEPT. 27 1890.
A. S. McKENNON
COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Mullins & Co. Trustees

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his afore~~and~~ demur, but insisting upon the same for answer to said appli-
cation, says that

Mr. Sigmon
..... through whom the petitioner claims to derive *her* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that *her* name
does not appear on any of the authenticated rolls of said Nation; that neither *she* nor any of *her* ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *H. C. Hughes, H. C. Hughes & Co. Attorneys*

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept*, 1896.

D. J. Ball
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Melissa C. Weaver for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Samuel Davis, Wm Price
Alfred Price, Wm A. Lewis & J. N. Baldwin

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7th day of September, 1896.

J. N. Baldwin
W. A. Davis Notary Public
My Commission expires Mar. 7 1900.

Chains
Melissio, C. Weaver
to claimant
Cherokee Indian
Citizenship

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO ~~The Hon. Senate & Commission~~

Your petitioner, Melissa C. Weaver, earnestly and respectfully represents that she is one
thirty years of age, Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Red Sissmore, through her Father William W. Davis
who was a son of Jennie Davis who was a daughter of
Margery Hashi who was a daughter of Catherine who
was a daughter of the said Red Sissmore
who was a Cherokee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Melissa C. Weaver age thirty years,
residence Grass Lake, in the State of Virginia, postoffice address Lucy
County of Grass Lake State of Virginia occupation that of a
House Wife and is the mother of three children of
the following names Melissa C. Weaver age 8 yrs
Robert C. Weaver age 5 yrs Emack C. Weaver age 3 yrs

Attesting witnesses,

A. L. Testerman [SEAL.]
J. B. Testerman [SEAL.]

STATE OF North Carolina ss.
COUNTY OF Ashe

Most Respectfully Submitted,

M. C. Weaver [SEAL.]

Personally appeared before me, W. W. Testerman, a Justice of the Peace
in and for said county in the State aforesaid, Melissa C. Weaver, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated therein,
this the 10 day of August 1896

Attesting witnesses,

A. L. Testerman [SEAL.]
J. B. Testerman [SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 10 day of
Aug 1896, and I do certify that I am personally acquainted with Melissa C. Weaver
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina and that I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

W. W. Testerman J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that W. W. Testerman, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of *Melissia B. Weaver* To Cherokee Indian Citizenship.

AFFIDAVIT OF

STATE OF *North Carolina*
COUNTY OF *Ashe* } ss.

On this, the *10* day of *Aug*, A. D., 189*6*, personally before me *W. W. Testerman*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Melissia B. Weaver*, aged *25* years, a resident of *Grayson* county, and State of *Virginia*, whose postoffice is *Day*, who after being duly sworn according to law, says that she is *one thirty-second* Indian by *blood* and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she derives her Indian blood from her ancestor The Late Ned Sizemore, as set out in her petition and memorial*

and is a direct lineal descendant of the *Sizemore* family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that she believes the said *Sizemore Family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood and is an admixture of *white* and Cherokee and at least one *thirty-second* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

M. B. Weaver
Subscribed and sworn to before me, this *10* day of *August*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

W. W. Testerman J.P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON, } his
WILLIAM x PRICE,
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE,
his
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, (Mar 7) 1900.

[SEAL]

Notary Public.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Hardy, in said County, and that he is personally acquainted with William C. Weaver, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said William C. Weaver is the identical person he represents him self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me J. H. Baldwin day of September, A. D., 1896.
M. B. Qualls, Notary Public.

My Commission expires, March 7, 1900.

#2768

3262

✓

No.

IN THE MATTER OF

Melissa C. Weaver

Claim to Citizenship in Cherokee

Nation, I. T.

Po. Ind. Va.

Filed Sep 8/86

Asst. Commr.
(Suzanne J. Smith)

Accepted

John B. Bawin

Silas Bird

NC

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared William Price who after being by me duly sworn states that he is 86 years of age, and a citizen of Ashe County, and State of North Carolina and that he is personally acquainted with Melissa C. Weaver, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Melissa C. Weaver is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Melissa C. Weaver is a daughter of William W. Davis who is a son of Jennie Davis, who was a daughter of Margery Hark who was a daughter of Catharine Hark, who was a daughter of Ned Sizemore who was a Cherokee Indian of the full blood; and is the mother of the following named minor children: Malvin C. Weaver, Robert E. L. Weaver and Enoch C. Weaver

And further states that he has known the said Melissa C. Weaver for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Melissa C. Weaver indicate that the said Melissa C. Weaver is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Melissa C. Weaver affiant states he has every reason to believe and does believe that the said Melissa C. Weaver is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Melissa C. Weaver to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Melissa C. Weaver

Attest,

J. B. Baxton

William Price
Justice of the Peace

Subscribed and sworn to before me, this 11 day of Aug. A. D., 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____

1896

M. C. Hark J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hark, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of August, 1896.

P. Blevins
Clerk Superior Court.

End

3263

Nation's No. 1068.

Commission's No

In re Application of

Mahala Tucker, et al.

Demurrer and Answer.

FILED SEPT 25 1907

A. S. McFARLANE

COM'Y

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon; T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Mahala Tucker, et al.

Nation's No.1068.....

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 16th day of Sept. 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Mahala Tucker for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price, Wm Price, Saml Davis, Wm A Lewis, J. G. Lewis & Wesley Blevins

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
Notary Public
My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO Hon James Cameron

Your petitioner, Mahalia Tucker, earnestly and respectfully represents that she is one eighth Cherokee Indian by blood, deriving the same from her lineal ancestor, the late Ned Sizemore, through her mother Mrs. Blains who was a son of Lydia Blains who was a daughter of Ned Sizemore who was a son of Ned Sizemore a full blooded Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Mahalia Tucker, age 75 years, residence Asheville, in the State of N.C., postoffice address. Asheville, County of Asheville, State of N.C. occupation that of a Housewife

Attesting witnesses,

Wesley Blevins [SEAL.]
[SEAL.]

Most Respectfully Submitted,

Mahalia Tucker [SEAL.]
mark

STATE OF NORTH CAROLINA, } ss.
COUNTY OF ASHE }

Personally appeared before me, Wm Miller, a Justice of the Peace in and for said county in the State aforesaid, Mahalia Tucker, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 10 day of Aug 1896

Attesting witnesses,

Wesley Blevins [SEAL.]
[SEAL.]

Wm Miller J.P. [SEAL.]

Subscribed and sworn to before me, a Justice of the Peace aforesaid, on this 10 day of Aug 1896, and I do certify that I am personally acquainted with the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

Wm Miller J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Wm Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14 day of August, 1896.

P Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

L. HURLEY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis, Notary Public.

My commission expires Mar 5, 1900.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. G. Lewis, who after being by me duly

Affirmed states that he is 24 years of age, and a resident of Washington County, and State of North Carolina, whose postoffice address is Bedford, in said

County, and that he is personally acquainted with Mahala Tucker, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Mahala Tucker is the identical person he represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 25 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

affirmed
Subscribed and sworn to before me, this 10th day of September, A. D., 1896.

J. G. Lewis
M. H. Roberts, Notary Public.

My Commission expires, March 7, 1900. -

#2193

3263

No.....

IN THE MATTER OF

Mahala Tucker

Claim to Citizenship in

Nation, I. T.

Ps Weaver N. C.

Filed Sep 8th 1896

A. S. McKeown

Court

Refused

John Baldwin

Silas Levens

Mc

AFFIDAVIT OF WITNESS.

STATE OF North Carolina
COUNTY OF Ashe

Before me, the undersigned, a Wm Miller J.P. in and for the County and State aforesaid, personally appeared Mr. Wesley Blevins who after being by me duly sworn states that he is 49 years of age, and a citizen of Ashe County, and State of N.C. and that he is personally acquainted with Mahalia Ladd who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Mahalia Ladd is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Mahalia Ladd is an Indian of Cherokee blood, being the same person her father Wesley Blevins who was a son of Sydia Blevins who was a daughter of Queen Sigismund who was a son of Red Sigismund, a Cherokee Indian.

Affiant further states that he has known the said Mahalia Ladd for the past 40 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Mahalia Ladd indicate that the said Mahalia Ladd is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Mahalia Ladd affiant states he has every reason to believe and does believe that the said Mahalia Ladd is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Mahalia Ladd to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Mahalia Ladd.

Attest,

Subscribed and sworn to before me, this 10th day of Aug A. D. 1896, and I further certify that I am well acquainted with the said Wesley Blevins and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 189 .

STATE OF NORTH CAROLINA, } ss.
Ashe County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Wm Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of August, 1896.

P. Blevins
Clerk Superior Court.

End

3264

Nation's No. 1050.

Commission's No

In re Application of

Wm. Weaver, et al.

Demurrer and Answer.

FILED SEPT. 25 1896

A. S. McKinnon

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Wm Weaver, et al.....

Nation's No. 1050.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Red Sizemore.....

..... through whom the petitioner S claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, 16th day of Sept, 1896.

John L. Adair
D. J. Ball
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Wm Weaver for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Alfred Rice, Wm Rice, Samil Davis, Wm A. Lewis, J. H. Baldwin, Wesley Blewett

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this 7 day of September, 1896.

J. N. Baldwin
Notary Public
My Commission expires Mar. 7th 1900.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO THE HONORABLE COMMISSIONERS OF THE CHEROKEE INDIAN CITIZENSHIP.

Your petitioner, *John Thomas*, earnestly and respectfully represents that he is *one* *half* *Indian* Cherokee Indian by blood, deriving the same from his lineal ancestor, the late *Reddy* *Reddy* through his mother *Catherine* *Thomas* who is a daughter of *John* *Thomas* who was a daughter of *Catherine* *Caldwell* who was a daughter of *Catherine* *Port* who was a daughter of *Reddy* *Reddy* a full blooded Indian.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *John Thomas*, age *31* years, residence *North Carolina*, in the State of *North Carolina*, postoffice address *North Carolina*.

County of *North Carolina*, State of *North Carolina*, occupation that of a *Farmer*. *I am married and have 5 children to wit* *John* *Thomas* *Age 10*, *Mary* *Age 6*, *John* *Age 4*, *William* *Age 3*, *Mary* *Age 2*.

Attesting witnesses,

Most Respectfully Submitted,

John Thomas [SEAL]

John Thomas [SEAL]

STATE OF *North Carolina* } ss.
COUNTY OF *North Carolina*

Personally appeared before me, *John Thomas*, a Justice of the Peace in and for said county in the State aforesaid, *John Thomas*, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the *10* day of *Aug* 1896.

Attesting witnesses,

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *10* day of *Aug* 1896, and I do certify that I am personally acquainted with *John Thomas* the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

Wm Miller J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, *POINDEXER BLEVINS*, Clerk of the Superior Court of said county, do certify that *John Thomas* *Miller*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19* day of *August* 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of *Wm. H. Miller* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Wm. H. Miller*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *10* day of *Aug*, A. D., 189*6*, personally before me, *Wm. H. Miller*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Wm. H. Miller*, aged *31* years, a resident of *Ashe*
county, and State of *NC*, whose postoffice is *Edge*, who after
being duly sworn according to law, says that he is *1/2* Indian by *blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he*
derives his Indian blood from his ancestor the
late Red Simpson a full blood Cherokee Indian

and is a direct lineal descendant of the *Simpson* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Simpson* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Simpson* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *White* and Cherokee and at least one *third* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Wm. H. Miller
Subscribed

Subscribed and sworn to before me, this *10* day of *Aug*

A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe him to be a credible person.

Wm. H. Miller J.P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Haah, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASE, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty-seven years ago he well knew one Ned Sizemore who was a Cherokee Indian and made his home at that time on the Cherokee reservation, Berry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T. Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of Claim of the Descendants of Ned Sizemore to
Citizenship of the Cherokee Nation, I. T. :
INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with Sam Weaver, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Sam Weaver is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 15th day of September, A. D., 1896.
M. S. Roberts, Notary Public.

My Commission expires, March 7, 1900.

2172
3264

No.

IN THE MATTER OF

Spencer

Claim to Citizenship in *Chapman*

Nation, I. T.

R. E. N. C.

(Inquirer family)
Filed Sep 8th / 84
as McKinnon
Comm
Respect
John Baldwin
Silas Creek NC

AFFIDAVIT OF WITNESS.

State of *North Carolina*
County of *Ash*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State
aforesaid, personally appeared *Wesley Blevins* who after being by me duly sworn states
that he is *67* years of age, and a citizen of *Ash* County, and State of *NC*
and that he is personally acquainted with *Sam Weaver* who is an applicant for
citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Sam Weaver*
is the identical person he represents *himself* to be in his application for citizenship
in said Nation, and that the said *Sam Weaver* is the son of *Catherine*

Weaver who was a daughter of *Henry P. Blevins* who was
a daughter of *Catherine Caldwell* who was a daughter
of *Catherine Hunt* who was a daughter of *Red Lynum*
a full blood Cherokee Indian

Affiant further states that he has known the said *Sam Weaver* for the past *31* years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance,
language and manners of the said *Sam Weaver* indicate that the said *Sam Weaver*
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
Sam Weaver affiant states he has every reason to believe, and does believe that the said
Sam Weaver is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Sam Weaver*
to citizenship in the *Cherokee* Nation, I. T., and that he is not related
by blood or marriage to the said *Sam Weaver* and that he is of *White* and
Cherokee descent *Wesley Blevins*

Subscribed and sworn to before me this *10* day of *Aug* A. D., 1896, and I further cer-
tify that I am well acquainted with the said *Wesley Blevins* and know him to be a
person of credibility and of truth and veracity.

My commission expires on the

day of

189

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *Wm*
Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *19* day of *August*, 1896.

P Blevins
Clerk Superior Court.

End

3265

Nation's No. 1029.
Commission's No
In re Application of
Sibbaras Pennington, et al.

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U

Demurrer and Answer.

FILED SEPT 25 1899
A. S. McKENNON
COMPTROLLER

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Sibbaras Pennington, et al.

Nation's No. 1029.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~sare~~.....
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioners... claim to derive their..... right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 12th day of Sept. 1896.

D. I. Ball
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Sabanias Pennington* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Sam'l Davis, Alfred Price, Wm. Price, Wm. A. Lewis, Wesley Blevins*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

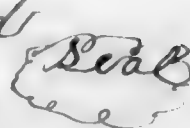
Subscribed and sworn to before me this, *7* day of September, 1896.

J. H. Bellhorn
Notary Public

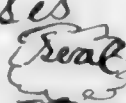
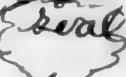
My Commission Expires Mar 22/97

Petition and memorial
for Cherokee indian citizenship


To the Hon House from
your petitioner Silberas Pennington
it is proved and he believes that he is one
~~thirty~~^{second} Cherokee indian by
deriving the same from his true
ancestor the late Ned Sizemore through
his father Samuel Pennington son of
hester Pennington who is a daughter of
Lydy Sizemore who was a daughter of
Owen Sizemore. A son of Ned Sizemore
a full blood Cherokee indian your
petitioner therefore submits to your
honorable body the above statement of
facts as grounds for his application for
Cherokee indian citizenship as afore
said in Cherokee nation and ask for
full and complete investigation of his
claim and if the same is found to be
valid and correct as herein stated that he
be allowed all rights and privileges and
immunities of other citizens of said nation
Petitioner's full name is Silberas Pennington
age 23 yrs resident of Smyth county state
of Virginia Postoffice Grosses county of
Smyth State of Va. Occupation farmer
I am married and have two children to
wit James C Pennington age 3 yrs Mary E.
Pennington age 1 yr

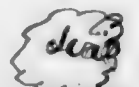
Most Respectfully Submitted 
Siberras. Pennington

attesting Witnesses

State of North Carolina }
County of Ashe

personally appeared before me Justice
of the Peace in and for the said in the
State aforesaid Siberras Pennington the
petitioner in the above petition for
Cherokee indian citizenship in the Cherokee
national indian territory N. S. H. Who after
being duly sworn according to law
states that the facts set forth in his
said petition above are true as above
stated there in this the day aug 1896 




L. M. Grant, J. P.

Subscribed and sworn to before me a
Justice of the Peace as aforesaid
on this day of aug 1896 and I do
certify that I am personally acquainted
with Siberras Pennington the said Petitioner
and now that he is creditable Person
and intitled to full faith and
Credit before any of the courts of the

State of North Carolina and that
I have no interest directly or
indirectly in the Prosecution of his
said claim for Cherokee Indian
Citizenship and am not related to
him by blood or marriage

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *L. M. Hart*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19th* day of *August*, 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 56 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
* Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; that said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires, *March 1900*

No. 2290

IN THE MATTER OF

Sebarias Pennington

Petition to Citizenship in

Nation, I. T.

Po Gross, Va

Filed Sept 7-1894

A S McKinnon

(Sizemore family)

Rejected

John Baldwin

Silas Cross

Mc

AFFIDAVIT OF WITNESS.

State of *North Carolina* } ss.
County of *Ashe* }

Before me, the undersigned, a *Justice of the peace* in and for the County and State
aforesaid, personally appeared *Wesley Blevins* who after being by me duly sworn states
that he is *29* years of age, and a citizen of *Ashe* County, and State of *N.C.*
and he is personally acquainted with *Siberas Pennington* who is an applicant for
citizenship to the *Cherokee* Nation, I. T., and affiant further states that the said *Siberas*
Pennington is the identical person he represents himself to be in his application for citizenship
in said Nation, and that the said *and that the said Siberas*
Pennington is a son of *Samuel Pennington*
who was a son of *Hester Pennington* who was
a daughter of *Lydia Sizemore* who was
a daughter of *Owen Sizemore* who was
a son of *Ned Sizemore* a full blood
Cherokee Indian

Affiant further states that he has known the said *Siberas Pennington* for the past *12* years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance,
language and manners of the said *Siberas Pennington* indicate that the said *Siberas Pennington*
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
Siberas Pennington affiant states he has every reason to believe, and does believe that the said
Siberas Pennington is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Siberas*
Pennington to citizenship in the *Cherokee* Nation, I. T., and that he is not related
by blood or marriage to the said *Siberas Pennington*

Subscribed and sworn to before me this *10* day of *Aug* A. D. 189*6*, and I further cer-
tify that I am well acquainted with the said *Wesley Blevins* and know him to be a
person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 189*6*.

STATE OF NORTH CAROLINA, } ss.
Ashe County, }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *Wesley Blevins*
Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *12th* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court.

End

3266

Nation's No. 1781

Commission's No.

In re Application of

Robert L. Peck

Demurrer and Answer.

2071396 ☆

A. S. MCKENNON

OFFICE

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state ~~it is~~ true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Red Tigeon*

through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Fitchings, Hastings, & Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

17th

day of

Sept

1896.

D. H. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Robert B. Peak for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Saml Davis, Alfred Price, Wm Price, Wm A. Lewis, J. H. Boston

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7 day of September, 1896.

J. N. Baldwin
M. H. Davis Notary Public
My Commission Expires Mar 7th 1900

Given
to Robert B. Park
to Clasp out
Cherokee Indian
Stigarskip

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO ~~Robert B. Peak~~ The Hon. Senate Commission:

Your petitioner, Robert B. Peak, earnestly and respectfully represents that he is one
Sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore through his mother Margery Peak, who
 was a daughter of George Hart, who was a son of
Catharine Hart, who was a daughter of said
Ned Sizemore who was a Cherokee Indian of
 the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
 application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
 investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
 all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Robert Bruce Peak, age thirty-seven years,
 residence Grayson Co., in the State of Virginia, postoffice address Edgarville
Grayson County of Grayson State of Virginia occupation that of a

shoemaker & farmer and is a married man and the
father of the following named minor children: Ruth
7 Peak, Mary L. Peak, aged 13, Lucie C. Peak, aged 9 years,
Lockwood M. Peak, aged 1 year

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL]
[SEAL]

Robert B. Peak [SEAL]

STATE OF North Carolina } ss.
 COUNTY OF Ashe }

Personally appeared before me, M. C. Hask, a Justice of the Peace
 in and for said county in the State aforesaid, Robert B. Peak, the petitioner in the above
 petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
 duly sworn according to law states that the facts set forth in his said petition above are true as stated
 therein, this the 11 day of Aug 1896.

Attesting witnesses,

Robert B. Peak [SEAL]

.....[SEAL]
[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 11 day of
Aug 1896, and I do certify that I am personally acquainted with Robert B. Peak
 the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
 the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the
 prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hask J.P.

STATE OF NORTH CAROLINA, } ss.
 ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hask
Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this 14 day of August 1896.

P. Blevins
 Clerk Superior Court.

1
GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Robert B. Peak* ... To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*.

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *11th* day of *Aug* ... A. D., 189*6*, personally before me... *M. C. Hash*

..., a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Robert B. Peak*..., aged *37*.. years, a resident of *Haystack* county, and State of *Virginia*..., whose postoffice is *Edgewater Va*..., who after being duly sworn according to law, says that he is *one sixteenth* Indian by *blood* and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he denies his Indian blood from his ancestor, the late Ned Sigemore, who was a Cherokee Indian of the full blood*

and is a direct lineal descendant of the *Sigemore* family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Sigemore family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood and is an admixture of *white* and Cherokee and at least one *sixteenth* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Robert B. Peak
Subscribed and sworn to before me, this *11th* day of *Aug*.
A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Hash J.P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as an Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] WILLIAM x PRICE.
J. H. BARTON, mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]
W A Lewis Notary Public.
May 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barter, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Weyersford in said County, and that he is personally acquainted with Robert B. Peak, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Robert B. Peak is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 14 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 23rd day of September, A. D., 1896.
J. H. Barter, Notary Public.

My Commission expires, March 7, 1900.

#2177

3266

L

No.

IN THE MATTER OF

Robert B. Peak

Claim to Citizenship in Cherokee

Nation, I. T.

B. Edgewater, Va.

Reported
(Edgewater family)

Filed Sep 8th 1886
as McKinnon
Comr

John Baldwin
Silas Creek
N.C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Before me, the undersigned, a Justice of the Peace, in and for the County and State aforesaid, personally appeared Samuel Davis who after being by me duly sworn states that he is 77 years of age, and a citizen of Grapeland County, and State of Virginia and that he is personally acquainted with Robert B. Peak, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Robert B. Peak is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Robert B. Peak is a son of Margery Peak who was a daughter of George Hart who was a son of Catherine Hart who was a daughter of Med Sigismore who was a Cherokee Indian of the full blood; and is the father of the following named children: Push H. Peak, Mary L. Peak, Inez C. Peak, Lockard M. Peak

Affiant further states that he has known the said Robert B. Peak for the past 30 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Robert B. Peak indicate that the said Robert B. Peak is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Robert B. Peak affiant states he has every reason to believe and does believe that the said Robert B. Peak is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Robert B. Peak to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Robert B. Peak

Attest,

Samuel Davis

Subscribed and sworn to before me, this 11 day of Aug, A. D., 1896, and I further certify that I am well acquainted with the said Samuel Davis and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 189

Matthew J. O.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Nash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12th day of August 1896.

P. Blevins
Clerk Superior Court.

End

3267

Nation's No. 1779

Commission's No.

In re Application of

Margery Shipper

Demurrer and Answer.

SEP. 24 1896

A. S. McKENNON

COURT

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of Murphy L. Hester

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Red L. Ligon
through whom the petitioner claim to derive his right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 17th day of Sept, 1896.

J. S. Bell
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Margery Phipps

for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Alfred Price, Wm. Price, Wm. A. Lewis, J. H. Barton & Samuel Davis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1901

Claim

3 Margery Phipps

to 3 Claimant

Charles Indian Citizen-
ship

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO the Hon. Dawes Commission

Your petitioner, Margery Phipps, earnestly and respectfully represents that she is one
Sixteenth Cherokee Indian by blood, deriving the same from her lineal ancestor, the late

Ned Sizemore through her mother Sallie Hark who was
a daughter of Robert and Margery Hark, the latter of whom
was a daughter of James and Catherine Hart, the latter of whom was
a daughter of said Ned Sizemore, a full blood Cherokee
Indian.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Margery Phipps, age fifty-one years.
residence Ashe Co., in the State of North Carolina postoffice address Wearmouth
County of Ashe, State of N.C., occupation that of a housewife.

Attesting witnesses,

J. H. Barton [SEAL];
A. L. Doughty [SEAL];
State of North Carolina } ss.
County of Ashe

Most Respectfully Submitted,

Margery Phipps [SEAL]
mark

Personally appeared before me, M. C. Hark, a Justice of the Peace
in and for said county in the State aforesaid, Margery Phipps, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated
therein, this the 13th day of July 1896

Attesting witnesses,
J. H. Barton [SEAL];
A. L. Doughty [SEAL];

Margery Phipps [SEAL]
mark

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 13th day of
July 1896, and I do certify that I am personally acquainted with Margery Phipps
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the
Courts of the State of North Carolina, and that I have no interest directly or indirectly in the pros-
ecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M. C. Hark J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C.
Hark, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19th day of August 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Margery Phipps*..... To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*.

State of *North Carolina* }
County of *Ashe* } ss:

On this, the *13th* day of *July* A. D., 189*6*, personally before me, *M. C. Hark*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Margery Phipps*, aged *51* years, a resident of *Ashe* County, and State of *North Carolina*, whose postoffice is *Waverly* who after being duly sworn according to law, says that she is *one sixteenth* Indian by *blood* and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath that she derives

her *Cherokee* Indian blood from her ancestor the late *Ned Sizemore* as set forth in her *Petition and Memorial*

and is a direct lineal descendant of the *Sizemore* family, whose names he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Sizemore family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood and is an admixture of *White* and Cherokee and at least one *Sixteenth* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

affiant:

J. H. Barton

A. L. Pugh

Subscribed and sworn to before me, this *13th* day of *July* A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

M. C. Hark J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

1

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed]

SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by
(Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 76 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest }
J. H. BARTON, } his
WILLIAM x PRICE,
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
M. C. HASH, J. P.
[Signed]
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before me, the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] }
ALFRED x PRICE,
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7* 1900.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverlyford, in said County, and that he is personally acquainted with Margery Phipps, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Margery Phipps is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states she has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, on 11 day of September, A. D., 1896.
J. H. Barton, Notary Public.

My Commission expires, March 7, 1900.

#2132
3267
V

No.

IN THE MATTER OF

Margaret Phillips

Claim to Citizenship in

Nation, I. T.

Do Weaverford N.C.

Rejected
(Squire family)

Filed Sep 8th 1896
A. S. McKimmon
Clerk

John Baldwin
Silas Crunk
MC

AFFIDAVIT OF WITNESS.

State of North Carolina
County of Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State
aforesaid, personally appeared Samuel Davis who after being by me duly sworn states
that he is 77 years of age, and a citizen of Groves County, and State of Virginia
and that he is personally acquainted with Margery Phipps who is an applicant for
citizenship in the Cherokee Nation, I. T., and affiant further states that the said Margery
Phipps is the identical person & he represents himself to be in his application for citizenship
in said Nation, and that the said Margery Phipps is the daughter
of Sal Hask, who was the daughter of Margery Hask
who was the daughter of Catharine Hask, who
was the daughter of Abel Sigmore, who was a
Cherokee Indian of the full blood.

Affiant further states that he has known the said Margery Phipps for the past 50 years
and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public
generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance,
language and manners of the said Margery Phipps indicate that the said Margery Phipps
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
Margery Phipps affiant states he has every reason to believe, and does believe that the said
Margery Phipps is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Margery
Phipps to citizenship in the Cherokee Nation, I. T., and that he is not related
by blood or marriage to the said Margery Phipps.

Subscribed and sworn to before me this 10 day of Aug. A. D., 1896, and I further cer-
tify that I am well acquainted with the said Samuel Davis and know him to be a
person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 189 _____.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C.
Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 12 day of August 1896.

P. B. Blevins
Clerk Superior Court.

End

3268

Nation's No. 1376

Commission's No.

In re Application of

Wm. E. Shippey

Demurrer and Answer.

AD. SEPT. 24 1882

A. S. MCKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Amey S. Shipke
for citizenship in the Cherokee Nation.

Nation's No. _____
Commission's No. _____

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:
1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.
2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.
Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Wm. L. Adair* through whom the petitioner claim to derive *her* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.
S. H. MAYES, Principal Chief Cherokee Nation.
By *Hutchings, Hastings & Boudinot* Attorneys.
John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.
John L. Adair
Subscribed and sworn to before me this *17th* day of *Sept* 1896.
D. J. Bice
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Nancy E. Phipps* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *herself, Saml Davis, Wm Prier, Alfred Prier, Wm A. Lewis & J. H. Barton*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *7* day of September, 1896

J. N. Baldwin
Notary Public
my Commission expires Mon. 7 1900.

Clarke
to 3 Mary E. Phipps
Clarke
Cherokee Indian Citi-
zenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Dawes Commission;*

Your petitioner, *Nancy E. Phipps*, earnestly and respectfully represents that she is *one*

thirdly: second Cherokee Indian by blood, deriving the same from her maternal ancestor, the late *Ned. Sigismore*, through her father *Robert F. Phipps* who was a son of *Pratt Phipps*, who was a daughter of *Margery Hash*, who was a daughter of *Catharine Hart*, who was a daughter of the said *Ned Sigismore* who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Nancy Elizabeth Phipps*, age *Twenty-Two* years, residence *Ashe Co.*, in the State of *North Carolina*, postoffice address *Vernon*, County of *Ashe*, State of *North Carolina*, occupation that of a *housewife*

Attesting witnesses,

E. F. Jones [SEAL]
J. H. Waddell [SEAL]
STATE OF *North Carolina* ss.
COUNTY OF *Ashe*

Most Respectfully Submitted,

Nancy E. Phipps [SEAL]
mark

Personally appeared before me, *W. W. Testerman*, a Justice of the Peace in and for said county in the State aforesaid, *Nancy Elizabeth Phipps* the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the *7* day of *Aug*, 1896.

Attesting witnesses,

E. F. Jones [SEAL]
J. H. Waddell [SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *7* day of *Aug*, 1896, and I do certify that I am personally acquainted with *Nancy E. Phipps* the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

W. W. Testerman J. P.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

W. W.
Testerman Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12* day of *August* 1896.

P. Blum
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of Nancy E. Phipps To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF North Carolina } ss.
COUNTY OF Ashe

On this, the 1 day of Aug A. D., 1896, personally before me... W. W. Testerman, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared Nancy E. Phipps, aged 23 years, a resident of Ashe county, and State of North Carolina, whose postoffice is Vernon, N.C., who after being duly sworn according to law, says that she is one thirty-second Indian by blood and a claimant for Cherokee Indian citizenship. Affiant further says on oath that she denies her Indian blood from her ancestor, the late Ned Sizemore, a full blood Cherokee Indian, as set forth in her Petition and Memorial

and is a direct lineal descendant of the Sizemore family, whose name she believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that she believes the said Sizemore family to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by her neighbors and the public generally as a person of Cherokee Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of Cherokee Indian blood and is an admixture of white and Cherokee and at least one thirty-second Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Nancy Elizabeth Phipps

Subscribed and sworn to before me, this 1 day of Aug A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

W. W. Testerman J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } SS;

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is: Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, [Signed] his WILLIAM x PRICE mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written. [Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August, A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his ALFRED x PRICE mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 65 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverly, in said County, and that he is personally acquainted with Nancy E. Phipps, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Nancy E. Phipps is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 14 years and knows that she is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 9th day of September, A. D., 1896.

My Commission expires, March 7, 1900.

J. H. Barton
Notary Public.

#2187

3268

No. 2

IN THE MATTER OF

Nancy E. Phipps

Claim to Citizenship in Cherokee

Nation, I. T.

Do. Vamon, N.C.

Recreated
(Bignone family)
Filed Sep 8th / 896
ASMR Kennon
Court
John Baldwin
Silas Berr
W.C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina
COUNTY OF Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Samuel Davis who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Virginia and that he is personally acquainted with Nancy E. Phipps who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Nancy E. Phipps is the identical person she represents her self to be in her application for citizenship in said Nation, and that the said Nancy E. Phipps is a daughter of Robert F. Phipps who is a son of Reuben Phipps who was a daughter of Margery Hart, who was a daughter of Cyhanie Hart, who was a daughter of Ned Sizemore who was a Cherokee Indian of the full blood

Affiant further states that he has known the said Nancy E. Phipps for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Nancy E. Phipps indicate that the said Nancy E. Phipps is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Nancy E. Phipps, affiant states he has every reason to believe and does believe that the said Nancy E. Phipps is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Nancy E. Phipps to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Nancy E. Phipps

Attest,

Samuel Davis

Subscribed and sworn to before me, this 11 day of Aug A. D., 1896 and I further certify that I am well acquainted with the said Samuel Davis and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 1896

W. C. Hark J.P.

STATE OF NORTH CAROLINA, { ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hark, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19th day of August 1896.

P. Blevins
Clerk Superior Court.

End

3269

Nation's No. 1794

Commission's No.

In re Application of

Ellen Shippe

Demurrer and Answer.

FILED SEPT. 21 1887

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Allen S. Lytle

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Wm. L. Adair*

..... through whom the petitioner..... claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof,

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Hutchings & Boudin* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *17* day of *Sept*, 1896.

Wm L Adair
E. J. Hall

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Ellen Phipps for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Alfred Price, Saml Davis
Wm Price, J. H. Barden

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7th day of September, 1896.

J. N. Baldwin
M. J. Davis Notary Public

My Commission Expires Mar 7th 1900

Clamie
to 3 Ellen Phipps
3 Clamieant
Cherokee Indian
Citizenship

PETITION AND MEMORIAL. FOR CHEROKEE INDIAN CITIZENSHIP.

TO *Hon. The, James Commission*

Your petitioner, *Ellen Phipps*, earnestly and respectfully represents that she is *and*

truly, second Cherokee Indian by blood, deriving the same from her lineal ancestor, the late *Ned Sezimore*, through her father *Robert F. Phipps*, who is a son of *Quith Phipps*, who was a daughter of *Mar. Jany Hark*, who was a daughter of *Catharine Hart*, who was a daughter of said *Ned Sezimore*, who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Ellen Phipps*, age *twenty-two* years, residence *Ashe Co.*, in the State of *North Carolina*, postoffice address *Vernon*, County of *Ashe*, State of *North Carolina*, occupation that of a *housewife*.

Attesting witnesses,

J. H. Barton [SEAL]
E. C. Yates [SEAL]
 STATE OF *North Carolina* } ss.
 COUNTY OF *Ashe* }

Most Respectfully Submitted,

for
Ellen Phipps [SEAL]
mark

Personally appeared before me, *M. C. Hark*, a Justice of the Peace in and for said county in the State aforesaid, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the *27* day of *July* 1896.

Attesting witnesses, *for*
Ellen Phipps [SEAL]
mark

J. H. Barton [SEAL]
E. C. Yates [SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *27* day of *July* 1896, and I do certify that I am personally acquainted with *Ellen Phipps* the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M. C. Hark J. P.

STATE OF NORTH CAROLINA, } ss.
 ASHE COUNTY,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hark*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19th* day of *August* 1896.

P. Blevins
 Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of Ellen Pluh To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF North Carolina
COUNTY OF Sachs

On this, the 27 day of July, A. D., 1896, personally before me, W. C. Hask

....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared Ellen Pluh, aged 27 years, a resident of Sachs county, and State of North Carolina, whose postoffice is Lenoir N.C., who after being duly sworn according to law, says that she is one thirty-second Indian by blood and a claimant for Cherokee Indian citizenship. Affiant further says on oath that she derives her Indian blood from her ancestor, the late Ned Sigemore, a full blood Cherokee Indian, as set forth in her Petition and Memorial

and is a direct lineal descendant of the Sigemore family, whose name she believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that she believes the said Sigemore family to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by her neighbors and the public generally as a person of Cherokee Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of Cherokee Indian blood and is an admixture of white and Cherokee and at least one thirty-second Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

attest
J. H. Boston

Ellen Pluh
Subscribed and sworn to before me, this 27 day of July

L. C. Yates

A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

W. C. Hask J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE,
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred x Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; that said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE,
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.

My commission expires *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barten, who after being by me duly sworn states that he is fifty five years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverlyford, in said County, and that he is personally acquainted with Ellen Phipps, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Ellen Phipps is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 11th day of September, A. D., 1896.

My Commission expires, March 7, 1900.

#2185
✓

No. 3269

IN THE MATTER OF

Ellen Phipps

Claim to Citizenship in Cherokee

Nation, I. T.

Do. Vernon N.C.

(Seigneur family)

Filed Sep 24 1896

as McKinnon

congr

Rejected

John Baldwin

Silas Leard

N.C.

AFFIDAVIT OF WITNESS.

State of *North Carolina*
County of *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State
aforesaid, personally appeared *Samuel Davis* who after being by me duly sworn states
that *he* is 77 years of age, and a citizen of *Haywood* County, and State of *Virginia*
and that *he* is personally acquainted with *Ellen Phipps* who is an applicant for
citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Ellen*

Phipps is the identical person *she* represents *herself* to be in her application for citizenship
in said Nation, and that the said *Ellen Phipps* is a daughter of *Robert*
F. Phipps, who was a son of *Ruth Phipps* who was
a daughter of *Margery Hersh*, who was a daughter of
Catharine Hail, who was a daughter of *Ned Sizemore* who was a *Cherokee* Indian of the full
blood

Affiant further states that *he* has known the said *Ellen Phipps* for the past 21 years
and knows that *she* is and has been recognized and treated by her neighbors, acquaintances and the public
generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance,
language and manners of the said *Ellen Phipps* indicate that the said *Ellen Phipps*
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
Ellen Phipps affiant states *he* has every reason to believe, and does believe that the said
Ellen Phipps is of *Cherokee* Indian blood.

Affiant further states that *he* has no interest whatever in the prosecution of the claim of the said *Ellen*
Phipps to citizenship in the *Cherokee* Nation, I. T., and that *he* is not related
by blood or marriage to the said *Ellen Phipps* *Samuel Davis*

Subscribed and sworn to before me this 11 day of *Aug.* A. D., 1896 and I further cer-
tify that I am well acquainted with the said *Samuel Davis* and know him to be a
person of credibility and of truth and veracity.

My commission expires on the

day of

189

STATE OF NORTH CAROLINA, ss.
Ashe County,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C.*
H. Ash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of *August*, 1896.

P. Blevins
Clerk Superior Court.

End

3270

Nation's No. 11424
Commission's No.
In re Application of

Richard A. Spencer

Demurrer and Answer.

SEPT 20 1890
U. S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Subscribed and

sworn to before me

John L. Ye

Notary Public

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Robert A. Spencer
for citizenship in the Cherokee Nation.

Nation's No.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *L. A.*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *W. L. Baymon*

..... through whom the petitioner..... claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *H. L. Adair & J. L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *12th* day of *Sept.* 1896.

D. J. Bell

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tablequah, I. T., a package which contained a true copy of the application of *Robt A. Spencer* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Saml Davis, Alfred Pice,*
Wm Pice, Wm A. Lewis, J. H. Barton

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this *7* day of September, 1896

J. F. Beldurn
M. H. Davis Notary Public
My Commission expires Nov. 7 1900.

Claim
to Robert A. Spencer
Claimant
Shesato Indian
Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission

Your petitioner, Robert A. Spencer, earnestly and respectfully represents that he is one sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Ned Sizemore through his mother Nellie Spencer, who was a daughter of Margaret Hash, who was a daughter of Catherine Hart, who was a daughter of said Ned Sizemore, who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Robert Alexander Spencer, age fifty-three years, residence Grayson Co., in the State of Virginia, postoffice address Grayson, Va., County of Ashe, State of North Carolina occupation that of a farmer and is a married man and the father of the following named minor children: Charles P. Spencer, aged 20 years; Bettie Spencer, aged 17 years; Joseph C. Spencer, aged 15 years; Bessie Spencer, aged 12 years.

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]
[SEAL]

Robert A. Spencer [SEAL]

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Personally appeared before me, M. C. Hash, a Justice of the Peace in and for said county in the State aforesaid, Robert A. Spencer, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the 27 day of July 1896.

Attesting witnesses,

Robert A. Spencer [SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of July 1896, and I do certify that I am personally acquainted with Robert A. Spencer the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hash, J. P.

STATE OF NORTH CAROLINA, } ss.
Ashe County, }

I, FONDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Robert A. Spencer* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina*
COUNTY OF *Ashe* } ss.

On this, the *27* day of *July*, A. D., 189*6*, personally before me *M. C. Hask*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Robert A. Spencer*, aged *53* years, a resident of *Grayson*
county, and State of *Virginia*, whose postoffice is *Grayson Court N. E.* who after
being duly sworn according to law, says that he is *one sixteenth* Indian by *blood*, and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he*
derives his Cherokee Indian blood from his
ancestor the late Ned Sigismore, a full blood
Cherokee Indian, as set out in his Petition
and Memorial

and is a direct lineal descendant of the *Sigismore* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Sigismore* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *sixteenth* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Robert A. Spencer

Subscribed and sworn to before me, this *27* day of *July*
A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe him to be a credible person.

M. C. Hask J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and one James Blevins had several sons and daughters from whom have descended Lyddia Blevins had several sons and daughters; that said Catharine Sizemore, a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

Notary Public.
My commission expires, Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Weaverford, in said County, and that he is personally acquainted with Robert A. Spenser, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Robert A. Spenser is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 25 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 7th day of September, A. D., 1898.
M. A. Roberts Notary Public.

My Commission expires, March 7, 1900.

2180

3270

No.

IN THE MATTER OF

Robert A. Spencer

Claim to Citizenship in Cherokee

Nation, I. T.

Po Grassy Creek, N.C.

(Suzanne family)

Filed Sep 24/86

A S McKinnon
Comm

Rejected

John Baldwin

Atlas Land

NC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Samuel Davis*, who after being by me duly sworn states that he is *77* years of age, and a citizen of *Grayson* County, and State of *Virginia*; and that he is personally acquainted with *Robert A. Spencer*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Robert A. Spencer* is the identical person he represents *himself* to be in his application for citizenship in said Nation, and that the said *Robert A. Spencer* is a son of *Nellie Spencer* who was a daughter of *Margery Nash* who was a daughter of *Catharine Hail* who was a daughter of *Ned Sizemore*, who was a *Cherokee Indian* of the full blood; and is the father of the following named minor children: *Charles P. Spencer, Bettie Spencer, Joseph A. Spencer and Bessie Spencer*.

Affiant further states that he has known the said *Robert A. Spencer* for the past *45* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Robert A. Spencer* indicate that the said *Robert A. Spencer* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Robert A. Spencer* affiant states he has every reason to believe and does believe that the said *Robert A. Spencer* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Robert A. Spencer* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Robert A. Spencer*.

Attest,

Samuel Davis

Subscribed and sworn to before me, this *11* day of *Aug.* A. D. 189*6*, and I further certify that I am well acquainted with the said *Samuel Davis* and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 189*6*.

W. H. Nash, J. P.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

Nash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12* day of *August* 189*6*.

P. B. Blevins
Clerk Superior Court.

End

Nation's No. 1454

Commission's No.

In re Application of

Edwin Reay

Demurrer and Answer.

FILED SEPT 2 1894

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Edwin P. ...

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

~~Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-~~
cation, says that *He demurs*

..... through whom the petitioner..... claim to derive *Cherokee* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that ~~his~~ *her* name
does not appear on any of the authenticated rolls of said Nation; that neither ~~he~~ *she* nor any of ~~his~~ *her* ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *He demurs* *Subscribed* *Attorneys* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *17th* day of *Sept.* 1896.

D. J. Bell

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Ellen Rudy for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of myself, Samuel Davis, Alfred Price, Wm A. Lewis, J. H. Barton and Wm. Price

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Ellen Reedy, earnestly and respectfully represents that she is one
thirty-second Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Ned Squire, through her father Sam Blewins who
was a son of George Blewins who was a son of
Lyddia Blewins who was a daughter of Owen
Squire who was a son of Ned Squire who
was a Cherokee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Ellen Reedy, age thirty-six years,
residence Ashe Co. in the State of North Carolina, postoffice address Sussex
County of Ashe State of North Carolina occupation that of a

housewife, and is the mother of five minor children,
by name as follows: Florence who married Rud Porter and
is the mother of one infant child Clyde B. Porter, aged 3
months; Ella Reedy, age 10 years, Andrew Reedy aged
7 years and Stella B. Reedy aged 5 months

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]
[SEAL]

Ellen Reedy [SEAL]

STATE OF North Carolina ss.
COUNTY OF Ashe

Personally appeared before me, L. Hurley, a Justice of the Peace
in and for said county in the State aforesaid, Ellen Reedy, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated therein,
this the 16 day of July 1896.

Attesting witnesses,

Ellen Reedy [SEAL]

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 16 day of
July 1896, and I do certify that I am personally acquainted with Ellen Reedy
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

L. Hurley - J.P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that L. Hurley
Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

3
GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

of *Ellen Reedy*..... To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina*..... } ss.
COUNTY OF *Ashe*..... }

On this, the *16* day of *July*....., A. D., 189*6*, personally before me *L. Hurley*.....
....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Ellen Reedy*....., aged *26* years, a resident of *Ashe*.....
county, and State of *North Carolina*....., whose postoffice is *Succop, N.C.*....., who after
being duly sworn according to law, says that she is *one thirty-second* Indian by *blood*..... and
a claimant for *Cherokee*..... Indian citizenship. Affiant further says on oath *that she*
derives her Indian blood from her ancestor, the
late Ned Sogimore, as set out in her Petition
and Memorial

and is a direct lineal descendant of the *Sogimore*..... family, whose name she believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that she believes the said *Sogimore family*..... to be of Cherokee
Indian blood, and were members of the *Cherokee*..... tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical
appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *thirty-second* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

..... *Ellen Reedy*.....

Subscribed and sworn to before me, this *16* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe her to be a credible person.

L. Hurley J.P.

11

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest J. H. BARTON, his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.

My commission expires *Mar 7* 1900.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barten, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverly, in said County, and that he is personally acquainted with Ellen Reedy, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Ellen Reedy is the identical person she represents ~~herself~~ to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 10 day of September, A. D., 1896.
M. J. Davis, Notary Public.

My Commission expires, March 7, 1900.

#2155

✓

No. 3271

IN THE MATTER OF

Eileen Rudy

Claim to Citizenship in Cherokee

Nation, I. T.

Do. Surrey, N.C.

Reflected

(Seymour family)

Filed Sept 8th 1906

A. S. McKinnon
Comm

John Baldwin

Silas Creek
N.C.

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace*, in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *Ellen Rudy*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Ellen Rudy* is the identical person he represents himself to be in her application for citizenship in said Nation, and that the said *Ellen Rudy* is a daughter of *Isaac Blewins* who was a son of *George Blewins* who was a son of *Syddia Blewins* who was a daughter of *Owen Sizemore*, who was a son of *Ned Sizemore* who was a Cherokee Indian of the full blood; and is the mother of the following named minor children: *Flounee* who married *Reed Porter* and is the mother of one infant child named *Clyde B. Porter*; *Orela Rudy*, *Eli Rudy*, *Andrew Rudy* and *Stella Rudy*

Affiant further states that he has known the said *Ellen Rudy* for the past *30* years and knows that he is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Ellen Rudy* indicate that the said *Ellen Rudy* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Ellen Rudy* affiant states he has every reason to believe and does believe that the said *Ellen Rudy* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Ellen Rudy* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Ellen Rudy*

Attest,

William Price
Mark

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

M. C. Hask J. P.

My commission expires on the day of 189

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19th* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court.

End

Nation's No. 1457
Commission's No.
In re Application of

Morda V. Pugh

Demurrer and Answer.

FILED SEPT 20 1896
A. S. MCKENNON

COTR

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Martha V. Pugh

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Red Benison*

..... through whom the petitioner claim to derive *her* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation; since
the removal of said Nation, west to the Indian Territory as at present located and defined; that *her* name
does not appear on any of the authenticated rolls of said Nation; that neither *her* nor any of *her* ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Harling, Hulshizer & Bond* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept.* 1896.

D. J. Ball
NOTARY PUBLIC.

1914
SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Martha V. Pugh* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Rice, Wm. Rice, Wm. A. Lewis, J. H. Patten*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public
My Commission expires Mar. 7 1900.

Clarice
3 Months & Days
to 3 Clamieut-
Cherokee Indian
Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Martha V. Pugh, earnestly and respectfully represents that he is One
Thirty-second Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Ned Sizemore, through her father Robert Davis who
was a son of Jennie Davis who was a daughter
of Morgan Nash who was a daughter of Catherine
Hart who was a daughter of said Ned Sizemore who was a Cherokee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Martha Virginia Pugh, age Thirty-Six years, residence Grayson Co., in the State of Virginia, postoffice address Grayson, Va., County of Ashe, State of North Carolina, occupation that of a housewife and is a married woman and the mother of the following named minor children: Ceresa D. Pugh, aged 14 years, Luzeta Pugh, aged 5 years, Virginia A. Pugh, aged 3 years

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]
[SEAL]

Martha V. Pugh [SEAL]

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Personally appeared before me, M. C. Nash, a Justice of the Peace in and for said county in the State aforesaid, Martha V. Pugh, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 15 day of Aug. 1896.

Attesting witnesses,

Martha V. Pugh [SEAL]

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 15 day of Aug. 1896, and I do certify that I am personally acquainted with Martha V. Pugh the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M. C. Nash J. P.

STATE OF NORTH CAROLINA, } ss.
Ashe County, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Nash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest (Signed) his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by (Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

(Signed) his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by (Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. *W. A. Lewis* [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. *W. A. Lewis*, Notary Public.

My commission expires *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barten, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wearmouth, in said County, and that he is personally acquainted with Martha V. Pugh, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Martha V. Pugh is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 13 day of September, A. D., 1896.
J. H. Barten
J. H. Barten Notary Public.

My Commission expires, March 7, 1900.

10-1-80

No. 3272

IN THE MATTER OF

Martha V. Wash

Claim to Citizenship in Cherokee

Nation, I. T.

P. Grady Creek N.C.

(Sigsbee family)

Filed Sep 8/80

Adm. Kinn

John Baldwin

Asas Cross

Respectable

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared William Price who after being by me duly sworn states that he is 86 years of age, and a citizen of Ashe County, and State of North Carolina and that he is personally acquainted with Martina V. Pugh, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Martina V. Pugh is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Martina V. Pugh is a daughter of Robert Davis who was a son of Jennie Davis who was a daughter of Margery Hark, who was a daughter of Catharine Holt who was a daughter of Ned. Sizemore who was a Cherokee Indian of the full blood; and is the mother of the following named minor children: Cesad Pugh, Luzella Pugh, Virgie A. Pugh

Affiant further states that he has known the said Martina V. Pugh for the past 36 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Martina V. Pugh indicate that the said Martina V. Pugh is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Martina V. Pugh affiant states he has every reason to believe and does believe that the said Martina V. Pugh is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Martina V. Pugh to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Martina V. Pugh

Attest,

J. H. Barton

William Price
Jury Price

Subscribed and sworn to before me, this 11 day of Aug. A. D., 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

M. C. Hark J. P.

My commission expires on the _____ day of _____ 1897

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hark, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of August 1896.

P. Blevins
Clerk Superior Court.

End

3273

Nation's No. 1414
Commission's No.
In re Application of

John Miller

Demurrer and Answer.

FILED SEPT 23 1896
A. S. L. C. C.
COURT

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Wm. Miller

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Wm. Miller*

..... through whom the petitioner..... claim to derive *the* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *W. H. Adams, Hastings & Bondino* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept*, 1896.

John L. Adair
E. J. Bell
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation at Tahlequah, I. T., a package which contained a true copy of the application of Wm Miller for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Davis, Wm A. Lewis, Elisha Blavin,

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
Wm A. Lewis Notary Public
My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO

Your petitioner,

Wm Miller *It is proven and he claims*
....., earnestly and respectfully represents that he is *one*
Thirty Second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Red Simon through *his brother Backbe Miller who*
was a daughter of Backbe Blewins who was a son of
Syda Blewins who was a daughter of Owen Simon
who was a son of Red Simon a full blood
Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *William Miller* age *40* years,
residence *Ashe Co* in the State of *NC*, postoffice address.....
County of *Ashe* State of *NC* occupation that of *Farmer*
I am married and have 5 children to wit
John A. 4 years, Wilson A. 3 years, Norma A. 1 year
Flora A. 8 years, Madison A. 7 years, Leroy 5 years
Minnie A. 3 years, Clara A. 1 year

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

Wm Miller [SEAL]

STATE OF *North Carolina* ss.
COUNTY OF *Ashe*

Personally appeared before me, *D. M. Hart* a Justice of the Peace
in and for said county in the State aforesaid, *Wm Miller* the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the *7* day of *Aug* 1896.

Attesting witnesses,

D. M. Hart [SEAL]
J.P.

Subscribed and sworn to before me, a Justice of the Peace aforesaid, on this *7* day of
Aug 1896, and I do certify that I am personally acquainted with *Wm Miller*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *NC* and that I have no interest directly or indirectly in the
procurement of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

D. M. Hart. J.P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *Wm Miller*
Hart Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *17* day of *August* 1896.

P. Blevins
Clerk Superior Court

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

Of *Wm Miller* To Cherokee Indian Citizenship.

AFFIDAVIT OF *claimant*

STATE OF *North Carolina*
COUNTY OF *Ashe*

On this, the *7* day of *Aug*, A. D. 189*6*, personally before me *O. M. Hart*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Wm Miller*, aged *40* years, a resident of *Ashe*
county, and State of *N.C.* whose postoffice is *Cape*, who after
being duly sworn according to law, says that he is *an Indian* Indian by *blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he*
derives his Indian blood from his ancestor
the late Ned Higmore a full blood
Cherokee Indian

and is a direct lineal descendant of the *Higmore* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Higmore Family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *White* and Cherokee and at least one *Cherokee* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this *7* day of *Aug*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe him to be a credible person.

O. M. Hart, J.P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.
Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON, [Signed] WILLIAM x PRICE
his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; that said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } SS,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had one son and George among others, and Catharine who afterwards
married one Lewis and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]
M. H. Robbins, Notary Public.
Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wm. Miller, in said County, and that he is personally acquainted with Wm. Miller, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Wm. Miller is the identical person he represents him self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me J. H. Baldwin day of September, A. D., 1896.
M. J. Roberts, Notary Public.

My Commission expires, March 7, 1900.

Dec 1842
3273 Laramont
to } Cherokee Indian
} Litigations

Po Eye, N.C.

#2142

(Sizemore family)

Filed Sept 8th 1846
Asst. Clerk
Court

Replevin

John Baldwin
Silas Gurd
NC

End

3274

Nation's No. 1006.

Commission's No

In re Application of

Sarah Mock, et al.

Demurrer and Answer.

FILED SEPT 26 1896

A. S. MCKENNON

CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Sarah Mock, et al..... Nation's No. 1006.
..... Commission's No.....
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~sare~~
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that ~~Med. Sizemore~~.....

..... through whom the petitioners claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 12th day of Sept., 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Sarah Mock for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Alfred Price, Wm Price, Saml Davis, Wm A Lewis, J. N. Baldwin

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 4th day of September, 1896.

W. H. Davis Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Sarah Mock, earnestly and respectfully represents that she is one thirty-second Cherokee Indian by blood, deriving the same from her lineal ancestor, the late Ned. Sizemore, through her mother Lyddia Blevins who is a daughter of Eli Blevins who was a son of Lyddia Blevins who was a daughter of Owen Sizemore who was a son of Ned Sizemore who was a Cherokee Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Sarah Mock, age thirty-five years, residence Ashe, in the State of North Carolina, postoffice address Milton

County of Ashe, State of North Carolina occupation that of a housewife and is a married woman and the mother of the following named minor children: Minnie Mock, aged 17 years; Oscar Mock aged 15 years; Maude Mock, aged 13 years; Zona Mock aged 7 years; Lizzie Mock aged 5 years; Roy V. Mock aged 1 year

Attesting witnesses,

Most Respectfully Submitted,

[SEAL.]
[SEAL.]

Sarah Mock [SEAL]

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Personally appeared before me, L. Hurley, a Justice of the Peace and for said county in the State aforesaid, Sarah Mock, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 14 day of July 1896.

Attesting witnesses,

Sarah Mock [SEAL]

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 14 day of July 1896, and I do certify that I am personally acquainted with Sarah Mock the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

L. Hurley, J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that L. Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

Of *Sarah Mock*..... To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*.

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *14* day of *July*, A. D., 189*6*, personally before me *L. Hurley*.....
....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Sarah Mock*....., aged *35* years, a resident of *Ashe*.....
county, and State of *North Carolina*....., whose postoffice is *Hellam N.C.*....., who after
being duly sworn according to law, says that he is *one thirty second* Indian by *blood*..... and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she de-*
niees her Indian blood from her ancestor, the
Cate Ned Sigenza as set out in her Petition
and Memorial

and is a direct lineal descendant of the *Sigenza*..... family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Sigenza family* to be of Cherokee
Indian blood, and were members of the *Cherokee*..... tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical
appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *thirty second* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Sarah Mock.....
Subscribed and sworn to before me, this *14* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe her to be a credible person.

L. Hurley J.P.

Sarah Mock

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON, [Signed] WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

W. A. Lewis [SEAL]
W. A. Lewis
Notary Public.
Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. P. Ballman, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with Samuel Moore, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Samuel Moore is the identical person he represents him self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. P. Ballman, day of September, A. D., 1896.
J. P. Ballman, Notary Public.

My Commission expires, March 7, 1900.

#2174

No. 3274

IN THE MATTER OF

Sarah Woot

Claim to Citizenship in Cherokee

Nation, I. T.

Po Helton N.C.

(Sizemore family)

Filed Sep 8 1896

Asst. McKinnon

Comm

Rejected

John Baldwin

Silas Carroll

Mc

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *26* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *Sarah Mock*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Sarah Mock* is the identical person he represents *himself* to be in his application for citizenship in said Nation, and that the said *Sarah Mock* is a daughter of *Lyddia Blevins* who is a daughter of *Eli Blevins*, who was a son of *Lyddia Blevins* who was a daughter of *Owen Sigeaux* who was a son of *Ned Sigeaux*, who was a Cherokee Indian of the full blood; and is the mother of the following named minor children: *Minnie Mock, Oscar Mock, Myrtle Mock, Nona Mock, Denzel Mock, and Roy V. Mock*

Affiant further states that he has known the said *Sarah Mock* for the past *30* years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Sarah Mock* indicate that the said *Sarah Mock* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Sarah Mock* affiant states he has every reason to believe and does believe that the said *Sarah Mock* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Sarah Mock* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Sarah Mock*

Attest, *J. H. Baxter*

William Price
Justice of the Peace

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

Mr. C. Haskins J. P.
189*6*

My commission expires on the _____ day of _____ 189*6*

STATE OF NORTH CAROLINA, } ss.
Ashe County.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Haskins*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

End

3275

Nation's No. 11/12

Commission's No.

In re Application of

James H. Smith

Demurrer and Answer.

FILED SEPT 26 1908

A. S. Smith

Subscribed and sworn to before me this 1st

day of

1898

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of James H. Mayes Nation's No. _____
Commission's No. _____
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is
entitled to citizenship.

~~Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-~~
cation, says that he ~~is~~ not ~~entitled~~ entitled

through whom the petitioner claim to derive his right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By G. L. Adair, Executive Secretary Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 17th day of Sept 1896.

E. J. Brier
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *J. H. Hart* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Rice, Wm. Rice, Wm. A. Lewis, J. G. Lewis, Elisha Blennis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *7* day of September, 1896.

J. N. Baldwin
W. H. Libbitts Notary Public
My Commission expires Mar. 7 1900.

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon James Com
Your petitioner, James H. Hart, earnestly and respectfully represents that he is *our*
Sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Red Wigmore through his brother *Elihu Hart* who was a
son of George Hart who was a son of Captain Hart
who was a brother of Red Wigmore a full blood
Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *James H. Hart* age *38* years,
residence *Washington D.C.* in the State of *DC*, postoffice address *Home*
Com County of *Washington* State of *DC* occupation that of a *farmer*
I am married and have one child to wit
Leah age 13 years

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]
[SEAL]

James H. Hart [SEAL]

STATE OF *North Carolina*
COUNTY OF *Ashe*

Personally appeared before me, *Wm Hart* a Justice of the Peace
in and for said county in the State aforesaid, *J. H. Hart* the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein.
this the *8* day of *Aug* 1896

Attesting witnesses,

J. M. Hart [SEAL]
J.P.

[SEAL]
[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *8* day of
Aug 1896, and I do certify that I am personally acquainted with *J. H. Hart*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *NC* and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

J. M. Hart, J.P.

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *D. M.*
Hart Esq, whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *19* day of *August*, 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after said first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.
Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] WILLIAM x PRICE.
J. H. BARTON, his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.
Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY,)
Cherokee Nation.) ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

W. A. Lewis [SEAL]
W. A. Lewis Notary Public.
Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. J. Lewis, who after being by me duly

Affiant states that he is 44 years of age, and a resident of Washington County, and State of Arkansas, whose postoffice address is Medina, in said

County, and that he is personally acquainted with James H. Hart, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said

James H. Hart is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant

for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood;

and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from

statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and Affirmed to before me, J. J. Lewis, 3 day of September, A. D., 1896.

M. J. Roberts, Notary Public.
My Commission expires, March 7, 1900.

J. H. Hunt 32
Belmont
to Cherokee Indian
Citizenship

James H. Hunt
Po Green Cove Va
#2163

(Grimm family)
Filed Sep 84
as McKinnon
John. Baldwin
Silas Hunt

Affidavit of Witness

State of N.C. }
County of Ashe }

Before me the undersigned a Justice of the Peace in and for the County and State aforesaid Personally appeared Elisha Blewins who after being duly sworn States that he is 94 years a Citizen of Ashe County and State of N.C. And that he is personally acquainted with James H. Hart - who is an applicant for Citizenship in the Cherokee Nation I.T. Affiant further States that the said James H. Hart is the identical person he represents himself to be in his application for Citizenship in the Cherokee Nation and the said James H. Hart is a son of Elisha Hart - who was a son of George Hart - who was a son of Catharine Hart - whose maiden name was Catharine Sigmore a daughter of Ned Sigmore a whole blood Cherokee Indian Affiant further States that he has known the said ~~James H. Hart~~ ^{James H. Hart} for the past thirty years and knows he is known recognized and treated by his neighbors and the public generally as a person of Cherokee Indian blood and that the complexion Language and Manners of the said James H. Hart indicates that the said ~~James H. Hart~~ ^{James H. Hart}

is of Indian blood. That from the
above facts and circumstances and from
statements made to me by the said James
H Hart- affiant states he has every reason
to believe and does believe that the said
James H Hart is of Cherokee Indian
blood. Affiant further states that he
has no interest whatever in the prosecution
of the claim of the said James H Hart
to citizenship in the Cherokee Nation I.T.
and that he is not interested in the
claim of the nor related by blood or
marriage to the said James H Hart
Elisha Blevins

Subscribed and sworn to before me
this 25 day of Oct 1888 and I further
certify that I am well acquainted
with the sd. Elisha Blevins and
know him to be a person of of creda-
-ility and truth and veracity

W H Blevins

Justice of the Peace

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that H. H. Blevins, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19th day of August, 1896.

W H Blevins
Clerk Superior Court.

End

327v

Nation's No. 1784

Commission's No.

In re Application of

John C. Ward

Demurrer and Answer.

W-1896

S. MCKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Riley G. Ward
for citizenship in the Cherokee Nation.

Nation's No. _____
Commission's No. _____

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *his* ~~respondent~~ through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Hastings & Bourne* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *17th* day of *Sept.* 1896.

D. J. Ball
NOTARY PUBLIC.

13
SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Philip G. Ward

for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of

himself, Saml Davis, Wm Price, Alfred Price, Wm A. Lewis, J. H. Barton,

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin

W. H. Boudinot Notary Public

My Commission expires Mar. 7 1900.

Claim
to Riley G. Ward
Claimant
Cherokee Indian Citizenship

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Doves Commission
Your petitioner, Riley G. Ward, earnestly and respectfully represents that he is One
thirty-second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore through his mother Jane Ward who was a
daughter of Sallie Hark, who was a daughter of Robert and
Margery Hark, the latter of whom was a daughter of James and Catherine
Hark, the latter of whom was a daughter of said Ned Sizemore
who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Riley G. Ward, age twenty-eight years,
residence Ashe Co., in the State of N.C., postoffice address Waverly
County of Ashe, State of North Carolina occupation that of a farmer

and is a married man and is the father of two minor
children by name Lora Ward, aged 7 years Columbus
Franklin Ward aged 5 years, Lou Ward aged 1 month

Most Respectfully Submitted,

Attesting witnesses,

[SEAL]
[SEAL]
State of North Carolina } ss.
County of Ashe }

Riley G. Ward [SEAL]

Personally appeared before me, M. C. Hark, a Justice of the Peace
in and for said county in the State aforesaid, Riley G. Ward, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the 13th day of July 1896.

Riley G. Ward [SEAL]

Attesting witnesses,
[SEAL]
[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 13th day of
July 1896, and I do certify that I am personally acquainted with Riley G. Ward
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the
Courts of the State of North Carolina, and that I have no interest directly or indirectly in the pro-
secution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hark J.P.

STATE OF NORTH CAROLINA, } ss.
Ashe County, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C.
Hark, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 14th day of August 1896.

P. Blevins
Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

OF *Riley G. Ward* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

State of *North Carolina* }
County of *Ashe* } ss.

On this, the *13th* day of *July* A. D., 189*6* personally before me, *M. C. Hask*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Riley G. Ward*, aged *28* years, a resident of *Ashe* County, and State of *North Carolina*, whose postoffice is *Waverly* who after being duly sworn according to law, says that he is *one thirty-second* Indian by *blood* and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath. *That he denies his Indian blood from his ancestor the late Ned Sigmour as set forth in his Petition and Memorial*

and is a direct lineal descendant of the *Sigmour* family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Sigmour family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood and is an admixture of *white* and Cherokee and at least one *thirty-second* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Riley G. Ward
Subscribed and sworn to before me, this *13th* day of *July*
A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Hask J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON, }
his
WILLIAM x PRICE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew, one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married, one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

{Signed} ALFRED x PRICE
his
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis, Notary Public.
My commission expires, *Mar 7, 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 53 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Marysford, in said County, and that he is personally acquainted with Riley G. Wors, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Riley G. Wors is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that he is and has been recognized and treated by h 4 neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 9 day of September, A. D., 1896.
M. G. Hibbs Notary Public.

My Commission expires, March 7, 1900.

2484
3276

No.

IN THE MATTER OF

Riley G. Ward

Claim to Citizenship in *Cherokee*

Nation, I. T.

Po Weavusford N.C.

(Sizemore family)

Tellid Sep 8th/89

as McKinnon

Amv

Rejected

John Baldwin

Silas Bird

MC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Samuel Davis*, who after being by me duly sworn states that he is *77* years of age, and a citizen of *Haydon* County, and State of *Virginia* and that he is personally acquainted with *Riley G. Ward*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Riley G. Ward* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *Riley G. Ward* is a son of *Jane Ward*, who was a daughter of *Sallie Hark* who was a daughter of *Margery Hark* who was a daughter of *Catherine Hark* who was a daughter of *Ned Sizenque* who was a *Cherokee Indian* of the full blood; and is the father of the following named minor children: *Columbus F. Ward* and *Levi Ward*

Affiant further states that he has known the said *Riley G. Ward* for the past *20* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Riley G. Ward* indicate that the said *Riley G. Ward* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Riley G. Ward* affiant states he has every reason to believe and does believe that the said *Riley G. Ward* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Riley G. Ward* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Riley G. Ward*

Attest,

Samuel Davis

Subscribed and sworn to before me, this *11* day of *Aug.* A. D. 189*6*, and I further certify that I am well acquainted with the said *Samuel Davis* and know him to be a person of credibility and of truth and veracity.

My commission expires on the day of

189

W. C. Hark J.P.

STATE OF NORTH CAROLINA, }
ASHE COUNTY, }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hark* Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19th* day of *August* 189*6*;

P. Blevins
Clerk Superior Court.

End

Nation's No. 1792

Commission's No.

In re Application of

James Sullivan

Demurrer and Answer.

FILED SEPT. 11 1900
A. S. McKENNON
COM. R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of Betty Sullivan
.....
.....
.....
for citizenship in the Cherokee Nation.

Nation's No.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Red Ligon
..... through whom the petitioner..... claim to derive her right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, 17th day of Sept, 1896.

S. J. Bull
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Bettie Sullivan for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Sam'l Davis, Alfred Price, Wm. Price, Wm. A. Lewis, J. D. Perkins

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the 7 day of September, 1896.

J. N. Baldwin
Notary Public

Commission Expires Mar 12/97

Clarke
to Betty Sullivan
to Plaintiff
Cherokee Indian Citi-
zenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon Dames Commission

Your petitioner, *Bettie Sullivan*, earnestly and respectfully represents that he is *one*
thirty-second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizimore through his father *John M. Young* who is a son
of *Catharine Young*, who was a daughter of *Margery Hask*, who
was a daughter of *Catharine Hart*, who was a daughter of
said *Ned Sizimore*, who was a Cherokee Indian of the
full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Bettie Sullivan*, age *twenty-two* years,
residence *Ashe Co.*, in the State of *North Carolina*, postoffice address *Stargis*
County of *Ashe*, State of *North Carolina*, occupation that of a *housewife*
and is a married woman and the mother of one minor
child, *Jordan Sullivan*, aged one year.

Attesting witnesses,

P. M. Remington [SEAL]
J. H. Powers [SEAL]
State of *North Carolina*
County of *Ashe* ss.

Most Respectfully Submitted,

Bettie Sullivan [SEAL]

Personally appeared before me,

In and for said county in the State aforesaid, *Bettie Sullivan*, a Justice of the Peace
the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated
therein, this the *11* day of *August* 1896

Attesting witnesses,

P. M. Remington [SEAL]
J. H. Powers [SEAL]

Bettie Sullivan [SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *11* day of
Aug 1896, and I do certify that I am personally acquainted with *Bettie Sullivan*
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the
Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the pro-
secution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

Harvey, Ashley J.P.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *Harvey*
Ashley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *19th* day of *August* 1896

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, oneson Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, *May 1900*, 189...

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. D. Perkins, who after being by me duly sworn states that he is 40 years of age, and a resident of Grayson County, and State of Virginia, whose postoffice address is Edgewater, in said County, and that he is personally acquainted with Bettie Sullivan, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Bettie Sullivan is the identical person she represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. D. Perkins day of September, A. D., 1896.
W. B. Black, Notary Public.

My Commission expires, March 7, 1900.

3277

V

No. 2678

IN THE MATTER OF

Bettie Sullivan

Claim to Citizenship in Cherokee

Nation, T.
Po. Sturgis, N.C. 10/2

Referred
(Sizemore family)

Filed Sept. 7-1896

Attest
Respectfully
John Baldwin;
Silas Creek,
N.C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Before me, the undersigned, a Justice of the Peace... in and for the County and State aforesaid, personally appeared Samuel Davis... who after being by me duly sworn states that he is 77 years of age, and a citizen of Guyton County, and State of Virginia and that he is personally acquainted with Bettie Sullivan who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Bettie Sullivan is the identical person she represents her self to be in her application for citizenship in said Nation, and that the said Bettie Sullivan is a daughter of John M. Young who is a son of Caltham's Young who was a daughter of Margery Hart, who was a daughter of Caltham Hart, who was a daughter of Ned Sizimore who was a Cherokee Indian of the full blood; and is the mother of one minor child; Jordan Sullivan

Affiant further states that he has known the said Bettie Sullivan for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said Bettie Sullivan indicate that the said Bettie Sullivan is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Bettie Sullivan... affiant states he has every reason to believe and does believe that the said Bettie Sullivan... is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Bettie Sullivan to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Bettie Sullivan

Attest,

Samuel Davis

Subscribed and sworn to before me, this 11 day of Aug. A. D., 1896 and I further certify that I am well acquainted with the said Samuel Davis and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____

189

Wm. H. Hark J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hark Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 12 day of August 1896.

P. Blevins
Clerk Superior Court.

End

3278

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Rosa Sullivan* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Alfred Price, Wm. Price, Samuel Davis, Wm. A. Lewis, Eliza Blennis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public
My Commission Expires Nov. 7 1900.

PETITION AND MEMORIAL. FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Honorable Senate*
Your petitioner, *Wm Sullivan*, earnestly and respectfully represents that he is *born*
born Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
John Sullivan through *his father John Sullivan who was a*
son of Washington Hunt who was a son of
Esther Hunt who was a daughter of Red Jacket
a full blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Wm Sullivan*, age *46* years,
residence *Boh*, in the State of *NC*, postoffice address *Boh*
County of *Boh* State of *NC* occupation that of a *farmer*
born in 1842 in Ohio Age 18, married Age 16, children Age 13
Silly Age 7, John Age 6

Attesting witnesses, *J. P. Sullivan* [SEAL]
Most Respectfully Submitted, *Wm Sullivan* [SEAL]

STATE OF *North Carolina* } ss.
COUNTY OF *Boh*

Personally appeared before me, *John Miller J.P.*, a Justice of the Peace
in and for said county in the State aforesaid, *Wm Sullivan*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the *10* day of *Aug* 189*6*.

Attesting witnesses, *John Miller J.P.* [SEAL]
[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *10* day of
Aug 189*6*, and I do certify that I am personally acquainted with *Wm Sullivan*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *NC* and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.
John Miller J.P.

STATE OF NORTH CAROLINA, } ss.
Ashe County,
I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *John Miller*
Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *17* day of *August* 1896.
P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

Of *Rose Sullivan* To Cherokee Indian Citizenship.

AFFIDAVIT OF *claimant*

STATE OF *North Carolina*
COUNTY OF *Ashe* } ss.

On this, the *12* day of *Aug*, A. D., 189*6*, personally before me *Wm Miller*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Rose Sullivan*, aged *40* years, a resident of *Ashe*
county, and State of *N.C.*, whose postoffice is *Quail*, who after
being duly sworn according to law, says that he is *1/2* Indian by *blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she*
derives her Indian blood from her grandfather
the late Red Simpson a free blood
Cherokee Indian

and is a direct lineal descendant of the *Simpson* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Simpson* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *White* and Cherokee and at least one *Cherokee* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Attest J. P. Baldwin *Rose Sullivan*
Subscribed and sworn to before me, this *12* day of *Aug*

A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe her to be a credible person.

Wm Miller J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } SS,

Before me, the undersigned, Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written. *W. A. Lewis* [SEAL]

Subscribed and sworn to before me this, the 2nd day of Sept., 1896. *W. A. Lewis*, Notary Public.

My commission expires *Mar 7 1900*.

~~#2811~~ 3278

No.

IN THE MATTER OF

Nancy Sullivan

Claim to Citizenship in

Nation, I. T.

Pe Huck N. D.

(Szeimore family)

Filed Sept 8th 1876
AM Jaconway Secy

Respectd
John Baldwin
Silas Brock
MC

—0—

State of North Carolina } ss.
County of Rock }

Before me, the undersigned, a Justice of the Peace in and for the County and State of
aforesaid, personally appeared Edw. A. Blum who after being by me duly sworn states
that he is 4 years of age, and a citizen of Ark County, and State of Fe
and that he is personally acquainted with Wm. Sullivan who is an applicant for
citizenship in the United Nation, I. T., and affiant further states that the said Wm. Sullivan
is the identical person who represents him self to be in his application for citizenship
in said Nation, and that the said Wm. Sullivan is the same person

John Blinn is one son of Henry's - a clerk who
was son of Catherine's daughter - he was a clerk
to the signers - a full blooded American.

Affiant further states that he has known the said *Charles Sullivan* for the past *3* years and knows that *he* is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Indian* Indian blood; and that the complexion, physical appearance, language and manners of the said *Charles Sullivan* indicate that the said *Charles Sullivan* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Charles Sullivan* affiant states he has every reason to believe, and does believe that the said *Charles Sullivan* is of *Chinese* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Assa Libman to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Assa Libman.

Subscribed and sworn to before me this 25 day of Oct A. D., 1888 and I further certify that I am well acquainted with the said John C. Williams and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 1890.

STATE OF NORTH CAROLINA, }
ASHE COUNTY, } ss:

I, **POINDEXTER BLEVINS**, Clerk of the Superior Court of said county, do certify that *H. H.*
Justice....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this *19th* day of *August*, 1896. *D. D. L.*

P. Blewins
Clerk Superior Court.

Nation's No. 1021.

Commission's No

In re Application of

Rossa Sullivan, et al.

Demurrer and Answer.

FILED SEPT 26 1896

A. S. MCKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Rosa Sullivan, et al.

Nation's No. 1021.....

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner^s claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 12th day of Sept., 1896.

D. J. Ball

NOTARY PUBLIC.

End

3279

Nation's No. 1425
Commission's No.
In re Application of

Minnie S. [unclear]

Demurrer and Answer.

FILED SEPT 25 1894
A. S. LOCKWOOD
COMPTON

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Miner S. Spivey
.....
for citizenship in the Cherokee Nation.

Nation's No.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that
..... through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation, that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *H. L. Adair, J. L. Adair & B. L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept.* 1896.
L. J. Ball

NOTARY PUBLIC.

100

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Minnie L. Spence* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Samuel Davis, Alfred Price, Wm Price Wm A. Lewis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this *7* day of September, 1896.

J. N. Baldwin
M. H. Davis Notary Public
My Commission expires Mar. 7 1900.

Claim
to } Minnie L. Spencer
 claimant
Cherokee Indian
Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Dawes Commission.*

Your petitioner, *Minnie L. Spencer*, earnestly and respectfully represents that she is *one*
thirty-second Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Ned Sizemore through her father *John Spencer*, who was a
son of *Nellie Spencer*, who was a daughter of *Margery*
Hart, who was a daughter of *Catharine Hart*, who was a
daughter of said *Ned Sizemore*, a Cherokee Indian of the
full blood.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Minnie Lane Spencer*, age *eighteen* years,
residence *Grayson Co.*, in the State of *Virginia*, postoffice address *Grayson*
Creek, County of *Ashe*, State of *North Carolina*, occupation that of a
housewife

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

Minnie L. Spencer [SEAL]

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Personally appeared before me, *M. C. Hask*, a Justice of the Peace
in and for said county in the State aforesaid, *Minnie L. Spencer*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated
therein, this 28 day of *July* 1896.

Attesting witnesses,

Minnie L. Spencer [SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 28 day of
July 1896, and I do certify that I am personally acquainted with *Minnie L. Spencer*
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M. C. Hask J P

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C.*
Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of *August* 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Minnie L. Spencer* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *28* day of *July* A. D., 189*6*, personally before me, *M. C. Hask*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Minnie L. Spencer*, aged *18* years, a resident of *Grayson*
county, and State of *Virginia*, whose postoffice is *Grassy Creek, N.C.* who after
being duly sworn according to law, says that She is *one thirty-second* Indian by *blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she*
derives her Indian blood from her ~~late~~ ancestor,
the late Ned Sizemore, a full blood Cherokee In-
dian as set out in Her Petition and Memorial

and is a direct lineal descendant of the *Sizemore* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that She believes the said *Sizemore family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that She is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical
appearance She has every reason to believe and does believe that She is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *thirty-second* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Minnie L. Spencer

Subscribed and sworn to before me, this *28* day of *July*
A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe her to be a credible person.

M. C. Hask J. P.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

W. A. Lewis [SEAL]
W. A. Lewis
Notary Public.
May 7th 1900

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va.; whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Crumpler Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after a man first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. state line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BAKER, his
[Signed] WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

2845
3279
✓

No.

IN THE MATTER OF

Minnie L. Spencer

Claim to Citizenship in Cherokee

Nation, I. T.

Do Garry Creek NC

(Spencer family)

Filed Sept 8th 1896

J. M. Jacobson
Atty

Rebecca

John O'Connor

Sioux Creek
NC

AFFIDAVIT OF WITNESS.

State of *North Carolina* } ss.
County of *Ashe* }

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Samuel Davis* who after being by me duly sworn states that ~~he~~ *he* is *27* years of age, and a citizen of *Guyson* County, and State of *Virginia* and that ~~he~~ *he* is personally acquainted with *Minnie L. Spencer* who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Minnie L. Spencer* is the identical person *she* represents *herself* to be in *her* application for citizenship in said Nation, and that the said *Minnie L. Spencer* is a daughter of *John Spencer*, who was a son of *Nellie Spencer*, who was a daughter of *Morgan Hart*, who was a daughter of *Catharine Hart*, who was a daughter of *Ned Sizemore*, who was a *Cherokee Indian* of the full blood

Affiant further states that *he* has known the said *Minnie L. Spencer* for the past *18* years and knows that *she* is and has been recognized and treated by *her* neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Minnie L. Spencer* indicate that the said *Minnie L. Spencer* is of Indian blood. That from the above facts and circumstances and from statements made to *him* by the said *Minnie L. Spencer* affiant states *he* has every reason to believe, and does believe that the said *Minnie L. Spencer* is of *Cherokee* Indian blood.

Affiant further states that *he* has no interest whatever in the prosecution of the claim of the said *Minnie L. Spencer* to citizenship in the *Cherokee* Nation, I. T., and that *he* is not related by blood or marriage to the said *Minnie L. Spencer*

Subscribed and sworn to before me this *10* day of *Aug.* A. D., 189*6*, and I further certify that I am well acquainted with the said *Samuel Davis* and know *him* to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 189*7*.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hash*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court.

End

3280

Nation's No.1082.
Commission's No
In re Application of

William M. Barker, et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
William N. Barker, et al.

Nation's No. 1082.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Red Sizemore

..... through whom the petitioner g claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, 16 day of Sept, 1896.

D. J. Ball

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Wm M. Barker* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Wm Price Alfred Price Samuel Davis Wm A Lewis J N Baldwin Wesley Devereux*

In support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this *4* day of September, 1896.

J. N. Baldwin
Notary Public
My Commission Expires Mar 4th 1900

Petition and memorial

To the Honorable Senate

Your Petitioner William M. Barker

Earnestly and respectfully begs it to be provided
and he claims that he is one thirty second
Cherokee Indian By Blood denouncing the
same from his lineal ancestor the Late
Ned Sizemore through his Mother Mary Blinn
who was a daughter of Daniel Blinn who was
a son of Liddie Blinn whose maiden name
was Liddie Sizemore a daughter of Amos
Sizemore who was a son of Ned Sizemore
a full blooded Cherokee Indian

Your Petitioner then free submits to your honorable body the above statement of facts as
grounds for application for Cherokee Indian
citizenship as aforesaid in the Cherokee
Nation and asks for full & complete
investigation of his claims and if the same
is found to be valid erect as heretofore stated
that he should all the Rights Privileges and
immunities of other citizens of said Nation
Petitioner full name is William Marshall Barker
age 24 years Residence Ashe County in the
State of N.C. Postoffice Concord County of
Ashe State of N.C. occupation that of a farmer

I am married and have 2 children, names to wit,
Maud C. age 18 months, William R. age 3 months,
attesting witnesses Most-Respectfully Submitted

seal) Wm Barker seal
seal)

State of N.C.
County of Ashe }

Personally appeared before me Wm Miller a
Justice of the Peace in and for said County in
the State of above said William R. Barker
the Petitioner in the above petition for
Cherokee Indian Citizen Ship in the Cherokee
Nation Indian Territory U.S.A. who after
being duly sworn according to Law state
that the facts set forth in his said Petition
are true as stated therein this 15th
Day of Aug 1896
attesting witnesses
seal

Wm Miller J.P. seal

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Wm
Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19th day of August, 1896.

P. Blevins
Clerk Superior Court.

person and how looked to full faith and
credit before any of the Courts of the State
of N.C. and that I have no interest directly or
indirectly in the prosecution of his said claim
for Cherokee Indian Citizenship and am related to him by blood
or more

I am married and have 2 children, namely wit,
Maud E. age 18 months, William R. age 3 months,
attesting witness Most Respectfully Submitted

seal) W. M. Barker seal
seal)

State of N. C.
County of Ashe }

Personally appeared before me Wm Miller a
Justice of the Peace in and for said County in
the State of N. C. said William M. Barker
the Petitioner in the above petition for
Cherokee Indian Citizenship in the Cherokee
T. T. U. S. A. who after

Subscribed & sworn to be true me a Justice of
the Peace as a true said on this 15th Day of
Aug 1886 and I do certify that I am personally
acquainted with William M. Barker the said
Petitioner and know that he is a Credible
person and am willing to give faith and
credit before any of the Courts of the State
of N. C. and that I have no interest directly or
indirectly in the prosecution of his said claim
for Cherokee Indian Citizenship and am related to him by blood
or marriage

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Indian and made his home at that time on the western side of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, his
[Signed] WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he knew one Ned Sizemore who then lived in Ashe county, N. C., and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T. :
INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

W. A. Lewis [SEAL]
W. A. Lewis
Notary Public.
Mar 7th 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Bullock, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Paul, in said County, and that he is personally acquainted with J. H. Bullock, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said J. H. Bullock is the identical person he represents him self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Bullock, day of September, A. D., 1898.
J. H. Bullock, Notary Public.

My Commission expires, March 7, 1900.

2856
32 Goin of
W. M. Barks
To: City of
Birmingham
Po. Cent. N.C.

(Signature)
Family

Filed Sept 7/96
Adm. Comm.
Comm.
Rejected
John B. Adams
Silas Cross
N.C.

Dear Sir: I have the honor to acknowledge the receipt of your letter of the 2nd inst. in relation to the above trade and value of the same. I find that the said Mr. Barks is of Indian blood and that he has been known to the Bureau of Indian Affairs. I have no objection to the same being in the possession of the said Mr. Barks and his family. I am, Sir, very respectfully,
Yours,
John B. Adams
Silas Cross
N.C.

Of dovit. W. W. W. W. W.

State of NC
only of aoh

Be fore me the under signed a Justice of the
Peace in and for the county and state of aforesaid
Personally appeared Wesley Blevins who after being
By me duly sworn states that he is 69 years of age
and a citizen of aoh only State of NC and
that he is personally acquainted with Wm Barker
who is applicant for citizenship in the United
States of America and affirms that the
said Wm Barker is the identical person he represents
himself to be in his application for citizen-
ship in said Nation and that the said Wm Barker
is a son of Mary Blevins who was a daughter of
Daniel Blevins who was a son of Liddie Blevins
whose maiden name was Liddie Sizemore a
daughter of a Mrs Sizemore who was a daughter of
Ned Sizemore a full blooded Cherokee Indian
applicant further states that he has known
the said W. M. Barker for the past 24 years
and knows that he is and has been
recognized and treated by his neighbors
acquaintances and the public generally
as a person having Cherokee Indian blood
and that the complexion, physical appearance,

28846
 32 of Jim of
 W. M. Boker
 To certify
 to
 Po. Content NE
 (Suzanne
 family)
 Filed Sept 7/96
 Asm. Blum
 Amm
 Collected
 John Baldwin
 Silas Criss
 NE

Language & manner of the said Wm Boker indicates
 that the said Wm Boker is of Indian blood that
 from the above facts and circumstances I have
 statements made to him by the said
 affiant state he has ever known W Blevins
 Does Blevins that the said Wm Boker is of
 Cherokee Indian blood affiant further states
 that he has no interest - what sum in
 the prosecution of the claim of the said Wm
 Boker to citizen ship in the Cherokee nation
 S. I. and that is not related by blood or
 money to the said Wm Boker that the said
 Wm Boker is of white & Cherokee descent
 Wesley Blevins

Subscribed & sworn to before me the
 15th of Aug 1886 and further certify
 that I am well acquainted with the said
 Wesley Blevins and know him to be a
 person of credibility and of truth
 and veracity
 Wm Miller J.P

STATE OF NORTH CAROLINA, } ss.
 ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
 Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this 19th day of August, 1896.

P. Blevins
 Clerk Superior Court.

End

1551

328

Nation's No. 11104

Commission's No.

In re Application of

James L. Harris

Demurrer and Answer.

FILED SEPT. 25 1900

A. S. ELLING

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of James L. Blinn

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant he entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Red Ligon

..... through whom the petitioner..... claim to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchins, Hutchins, & Bond Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair
Subscribed and sworn to before me this, the 17th day of Sept 1896.

NOTARY PUBLIC.

050 3281

Nation's No. 1037

Commission's No

In re Application of

Geo. F.

Daniel Blevins, et al.

Demurrer and Answer.

FILED SEPT 20 1896. *

A. S. L. KENNEDY

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Daniel F. Elevins, et al.

Nation's No. 1037.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

..... through whom the petitioner(s) claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

12th

day of

Sept.

1896.

L. J. Warr

NOTARY PUBLIC.

Nation's No. 1482

Commission's No.

In re Application of

James S. Bissell

Demurrer and Answer.

A. S. McKENNA.

COM' R.

2

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners,

In the matter of application of.....

James T. Blanton
.....
for citizenship in the Cherokee Nation.

Nation's No.

Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant.....
entitled to citizenship.

Respondent not waiving his ~~foresaid~~ demurrer, but insisting upon the same for answer to said appli-
cation, says that.....

..... through whom the petitioner..... claims to derive..... right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hastings Hutchings & Co. Attorneys* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the..... day of..... 1896.

John L. Adair
D. J. Bell
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

James F. Blum for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Samuel Davis, Wm Price, Alfred Price and Wm A. Lewis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this *4th* day of September, 1896

J. N. Baldwin
Notary Public

My Commission Expires Mar. 7. 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, *James F. Blevins*, earnestly and respectfully represents that he is *one*
thirty second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sigmon through his father *Alfred Blevins* who
was a son of *James Blevins* who was a son
of *Syddia Blevins* who was a daughter of
Owen Sigmon who was a son of *Ned Sigmon*
who was a Cherokee Indian of the full
blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian Citizenship as aforesaid, in the Cherokee Nation and asks for full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *James Franklin Blevins*, age *twenty seven* years,
residence *Ashe*, in the State of *North Carolina*, postoffice address *Ashe*
Creek County of *Ashe* State of *North Carolina* occupation that of a
farmer and is the father of the following named
minor children: Albert W. Blevins aged 7 years
Joseph H. Blevins, aged 5 years

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]
STATE OF *North Carolina*
COUNTY OF *Ashe* ss.

James F. Blevins [SEAL]

Personally appeared before me, *L. Hurley*, a Justice of the Peace
in and for said county in the State aforesaid, *James F. Blevins*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,
this the *4* day of *July* 1896.

Attesting witnesses,

James F. Blevins [SEAL]

.....[SEAL]
.....[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *4* day of
July 1896, and I do certify that I am personally acquainted with *James F. Blevins*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley, J. P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
L. Hurley Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *19* day of *August* 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of *James H. Blewett* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *14* day of *July*, A. D., 189*6*, personally before me *L. Hurley*,
....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *James H. Blewett*, aged *27* years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Silas Creek Mb*, who after
being duly sworn according to law, says that he is *one third second* Indian by blood and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he denies*
his Indian blood from his ancestors, the late
Ned Seymour as set out in his Petition and
Memorial

and is a direct lineal descendant of the *Seymour* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Seymour family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *third second* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

James H. Blewett

Subscribed and sworn to before me, this *14* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe him to be a credible person.

L. Hurley J.P.

James H. Blount

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after said first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Grumpler, Ashe county, N. C., and states that some sixty years ago he

~~was a full blood Indian~~ Sizemore who then lived in the Cherokee Nation, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] WILLIAM x PRICE.
J. H. BARTON, his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, (Mar) 7 1900

#2820
3281
✓

No.

IN THE MATTER OF

James F. Blinnis

Claim to Citizenship in *Cherokee*

Nation, I. T.

Po. Silas Creek N.C.

(Sizemore family)

Filed Sept 8 1896

H.M. Jacobson
Archy

Repealed

John Blinnis

Silas Creek
NC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Rice*, who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *James F. Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *James F. Blevins* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *James F. Blevins* is a son of *Alfred Blevins*, who was a son of *Syddia Blevins* who was a daughter of *Owen Sizemore* who was a son of *Ned Sizemore* who was a *Cherokee* Indian of the full blood; and is the father of the following named minor children: *Albert W. Blevins* and *Joseph H. Blevins*

Affiant further states that he has known the said *James F. Blevins* for the past *25* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *James F. Blevins* indicate that the said *James F. Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *James F. Blevins* affiant states he has every reason to believe and does believe that the said *James F. Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *James F. Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *James F. Blevins*

Attest, *J. H. Barton*

William Rice
Justice of the Peace

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *William Rice* and know him to be a person of credibility and of truth and veracity.

M. C. Hask
J. J.

My commission expires on the _____ day of _____ 189*7*.

STATE OF NORTH CAROLINA, } ss.
Ashe County.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12th* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

End

3282

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Willie Perkins
for citizenship in the Cherokee Nation.

Nation's No.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Red Johnson* through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Cutcliffe, Hastings & Brainerd* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept.* 1896.

D. J. Ball
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Sallie Devoe for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Davis Wm Price
Alfred Price, Wm A Lewis J. N. Baldwin
and Wesley Devoe

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7 day of September, 1896.

J. N. Baldwin
W. A. Devoe Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Senate*
Your petitioner, *Lallie Blevins* it is proven earnestly and respectfully represents that she is *one*
English Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Ned Ligonier, through her father *John L. Hart* who was
a son of *Geo Hart* who was a son of *Catherine*
Hart who was a daughter of *Ned Ligonier*
a full blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Lallie Blevins* age *44* years,
residence *Washington* in the State of *DC* postoffice address *Room*
Love County of *Washington* State of *DC* occupation that of a *housewife*

I am married and have 6 children
to wit: Mary Age 19 years, John Age 14 years
Ester Age 12, Ephraim Age 10 years, Clara Age 8
Mama Age 5

Attesting witnesses,

Most Respectfully Submitted,

Lallie Blevins [SEAL]

[SEAL]
[SEAL]

STATE OF *North Carolina* ss.
COUNTY OF *Hoke*

Personally appeared before me, *D. M. Hart* a Justice of the Peace
in and for said county in the State aforesaid, *Lallie Blevins*, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated therein,

this the *8* day of *Aug* 1896.

Attesting witnesses,

D. M. Hart [SEAL]
J.P.

[SEAL]
Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *8* day of
Aug 1896, and I do certify that I am personally acquainted with *Lallie Blevins*
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of
the Courts of the State of *NC* and that I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

D. M. Hart, J.P.

STATE OF NORTH CAROLINA, ss.
ASHES COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *D. M.*
Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *21st* day of *August*, 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

W. A. Lewis

M. H. Hobbs

Mar 7 1900

[SEAL]

Notary Public.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. M. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Grand, in said County, and that he is personally acquainted with Sallie Oliver, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Sallie Oliver is the identical person she represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 13th day of September, A. D., 1896.
J. M. Baldwin, Notary Public.

My Commission expires, March 7, 1900.

#2863 3282

Wally. Blains.

Claimant.

to Cherokee Indian
Citizenship.

P. Gum Cove, Va

(Singer family)

Filed Sept 8th 1896

A. M. Kinnon

Comr

Revised

John O. Dawson

Silas G. G. G.

MC

Superior of N. C.

State of North Carolina

County of Ashe

Before me the undersigned a Justice of The Peace in and for the County and State aforesaid Personally appeared Thelma Blum, who after Being By me duly sworn states that she is 69 years of Age and a Citizen of the County and State of N. C. and that she is personally acquainted with Sally Blum who is an applicant for citizenship in the Cherokee Nation (Ch. N.) and affiant further states that The said Sally Blum is the identical person she represents herself to be in her application for citizenship in said nation and that the said Sally Blum is a daughter of John G. Hart who was a son of George Hart who was a son of Catharine Hart who was a daughter Ned Simons a full Blood Cherokee Indian affiant further states that he has known the said Sally Blum for the past 10 years and knows that she is and has been recognized and treated by her neighbors and acquaintances and the public generally as a person having Cherokee Indian Blood and that the complexion physical appearance language and manner of the said Sally Blum indicate that the said Sally Blum is of Indian Blood that from the above facts and circumstances and from statements made to him by the said American affiant states he has every reason to believe and does believe that the said Sally Blum is of Cherokee Indian Blood. Affiant further states that he has no interest

Whatever in the prosecution of the claim of
the said Sally Blevins to citizenship in the
Enrolled nation (S. D.) and that he is ~~not~~ Related By
Blood or Marriage to the said Sally Blevins.

Wesley Blevins

Subscribed and sworn to Before me this 8th
Day of Aug A.D. 1896. And further Certify that
I am well acquainted with the said
Wesley Blevins. And know him to be a person
of credibility and of truth and veracity.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *D. M.*
Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 11th day of August 1896.

P. Blevins
Clerk Superior Court.

End

3283

Nation's No. 1024.

Commission's No

In re Application of

Roby Blevins, et al.

Demurrer and Answer.

FILED SEPT 28 1896.

A. S. MCKENNA

Before the Honorable, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....
Roby E. Evans, et al.....
.....
for citizenship in the Cherokee Nation.

Nation's No. 1024.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Ned Sizemore

..... through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 12th day of Sept. 1896.

D. F. Bick
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Roby Blevins* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Alfred Rice, Wm Rice, Samuel Davis, Wm A. Lewis, Wesley Blevins*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *4* day of September, 1896.

J. N. Baldwin
J. H. Roberts Notary Public
my Commission expires Mar. 7 1900.

Petition and answer

For Cherokee Indian citizenship To the Hon.
Dawa Commission your petitioner
Roby Blum it is shown and he petitions
that he is 1/32 Cherokee Indian in blood
The same from his lineal ancestors the late
red signer through his mother Ada Blum
whose maiden name Ada Thompson daughter
of Mary Thompson - Pang of Lydia Blum
whose maiden name was Lydia Thompson
daughter of John Signer and son of red
Signer a lineal ancestor.

your Petitioner therefore submits to your honorable
body the above statement of facts as grounds for
his application for Cherokee Indian citizenship
as provided in the Cherokee nation and asks for
full and complete investigation of his claim
and if the same is found to be valid and
correct as herein stated that he be allowed all
the rights and privileges of citizenship of
other citizens of said nation.

Petitioner full name is Roby Blum age
29 years residing at the County in the State
of Tennessee and is a farmer of a
farm and is married and has one child to
wit Hester Blum 1 year old.

Most Respectfully Submitted

Attest

Roby Blum

Seal

Seal

State of North Carolina

County of Ashe

Personally appeared before me a Justice of the Peace
in and for said County in the State aforesaid
Roby Blum the petitioner in the above petition for
Cherokee Indian citizenship in the Cherokee
Nation Indian Territory U.S.A. who after

Being duly sworn: According to law
swear that the facts set forth in his
said petition above are true as
stated there in this the 15 day of
August 1896
attesting witness J. M. Haver Seal

Seal
Seal

Subscribed and sworn to before me a
Justice of the Peace at above said on this
the 15 day of August 1896
and I do certify that I am personally
acquainted with F. B. Blevins the said
petitioner and know that he is a
Creditable person and entitled to full
faith and credit before any of the
Justices of the State of N. C. and that I
have no interest directly or
indirectly in the prosecution of
the said claim for Cherokee Indian
Citizenship and am not related
to him by blood or marriage
J. M. Haver

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that J. M. Haver
..... Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August, 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, stated that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

18. subscribed before me this 10th day of August, A. D. y that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and one James Blevins, and lived in Ashe county, N. C., and had descended Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T. Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory. William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7, 1900*

2808 3283

Roby Blevins
vs Blevins

Roby Blevins
Po Eye N.C.

Cherokee

(Sizemore family)

Filed Sept 8th 1896

Am Jacinay
Sicks

Repetra

John Baldwin
Silas Cross
MC

Affidavit of witness

State of North Carolina
County of Ashe
Before me the undersigned a justice
of the Peace in and for the County
and State aforesaid personally
appeared, wearing Blowing who after
Being by me duly sworn states that
He is 69 years of age and a Citizen of
Ashe County and State of N.C. and that he
is personally acquainted with Robt. Blowing
who is an Applicant for Citizenship in
the Cherokee Nation and affiant further
states that the said Robt. Blowing is the identical
person he represented himself to be in his
Application for Citizenship in said
Nation and that the said Robt. Blowing
is the son of Ada Blowing whose maiden name
Ada Thompson daughter of Mary Thompson
daughter of Lydia Blowing whose maiden
name was Lydia Sizemore daughter of
Jesse Sizemore son of Ned Sizemore
a full blood Cherokee Indian.

The affiant further states that he has known the
said Robt. Blowing for the past 20 years and
knows that he is well known and recognized
and treated by his neighbors, acquaintances and the
public generally as a person having Cherokee
Indian blood and that the complexion
physical appearance language and manner
of the said Robt. Blowing indicates that the said
Robt. Blowing is of Indian blood and from
the above facts and circumstances and from
statements made to him by the said
affiant affiant states he has every reason
to believe and does believe that the said Robt.
Blowing is of Cherokee Indian blood.

Affiant further states that he has no
interest whatever in the prosecution of
the claim of the said Roby Blevins to
citizenship in the Cherokee nation
and that he is not related by blood or
marriage to the said Roby Blevins. That the
said Blevins is white and Cherokee
Descent
Wesley Blevins

Subscribed and sworn to before me this 15 day
of August A.D. 1896 and I further certify
that I am well acquainted with the
said Wesley Blevins and know him to
be a person of reliability and of truth
and veracity
J. M. Miller, J.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
Miller, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 17. day of August, 1896.

P. Blevins
Clerk Superior Court.

End

3284

Nation's No. 1766

Commission's No.

In re Application of

David W. Blewett

Demurrer and Answer.

FILED SEPT.

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....

David W. Blount

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Wesley Bigman*

..... through whom the petitioner..... claims to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hedinger, Hutchins & Bond* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept*, 1896.

D. J. Ball
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

David W. Blevins for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of

*himself, Samuel Davis Wm Price
Wm. A. Lewis J. M. Baldwin & Alfred Price*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in the matter.

Subscribed and sworn to before me this *7* day of September, 1896.

J. N. Baldwin
W. H. Davis Notary Public

my Commission Expires Mar 7th 1900

✓
David M. Blavin

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO the Honorable Com

Your petitioner, David M. Blvin, earnestly and respectfully represents that he is

Thirty Second, Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

Red Simon, through his father E. B. Blvin who is

a son of Eli Blvin who was a daughter of

Spheer Blvin who was a daughter of Owen

Simon who was a son of Red Simon

a full blood Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is David M. Blvin, age Twenty Five years,

residence Ash in the State of N.C., postoffice address Ash

County of Ashe State of N.C. occupation that of a

farmer I am married and have two children

to wit Martha M. Blvin aged 4 years

John G. Blvin " 1 year

Attesting witnesses,

Most Respectfully Submitted,

[SEAL.]

David M. Blvin [SEAL.]

[SEAL.]

STATE OF North Carolina, ss.

COUNTY OF Ashe

Personally appeared before me, L. Hurley, a Justice of the Peace

in and for said county in the State aforesaid, David M. Blvin, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being

duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,

this the 14 day of July 1896.

Attesting witnesses, David M. Blvin [SEAL.]

[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 14 day of

July 1896, and I do certify that I am personally acquainted with David M. Blvin

the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of

the Courts of the State of N.C. and that I have no interest directly or indirectly in the

prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

L. Hurley J. P.

STATE OF NORTH CAROLINA, ss.
Ashe County.

I, POINDEXTER BLVIN, Clerk of the Superior Court of said county, do certify that

Hurley, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a

Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts

are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of

said Court, this day of 1896.

P. Blvin
Clerk Superior Court

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

Of David M. Cleaver To Cherokee Indian Citizenship.

AFFIDAVIT OF *Surrender*

STATE OF *North Carolina*
COUNTY OF *Ashe*

On this, the *14* day of *July*, A. D., 189*6*, personally before me *L. Hurley*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *David M. Cleaver*, aged *29* years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Reed*, who after
being duly sworn according to law, says that he is *one half* Indian by *blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he claims*
his Indian blood from his ancestor the late
Red Sigeon a full blood Cherokee Indian

and is a direct lineal descendant of the *Sigeon* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Sigeon* family to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *White* and Cherokee and at least one *one half* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

David M. Cleaver

Subscribed and sworn to before me, this *14* day of *July*,
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe him to be a credible person.

L. Hurley, J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] J. H. BARTON, his mark. WILLIAM x PRICE.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed]

SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

W. A. Lewis [SEAL]
W. A. Lewis Notary Public.
Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 31 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with David W. Shivers, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said David W. Shivers is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 13 day of September, A. D., 1896.
M. S. Gibbels, Notary Public.

My Commission expires, March 7, 1900.

#2870

V 3284

No.....

IN THE MATTER OF

David W. Higgins

Claim to Citizenship in

Nation, I. T.

Po. Bud. N.C.

Respectfully
(Suzanne J. J. J.)

Filed Sept 7/5/896
A. S. McInnis
Comr

John Baldwin
Silas Creek
NC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Alfred Price*, who after being by me duly sworn states that he is *76* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *David W. Blevins* who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *David W. Blevins* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *David W. Blevins* is a son of *Eli B. Blevins* who was a son of *Eli Blevins* who was a daughter of *Oran Sizemore* who was a son of *Hed Sizemore* who was a Cherokee Indian of the full blood; and is a married man and the father of two minor children; *Martha A. Blevins* aged 4 years and *Wm. G. Blevins* aged 1 year.

Affiant further states that he has known the said *David W. Blevins* for the past 25 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *David W. Blevins* indicate that the said *David W. Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *David W. Blevins*, affiant states he has every reason to believe and does believe that the said *David W. Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *David W. Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *David W. Blevins*.

Attest,

Alfred Price
Justice of the Peace

Subscribed and sworn to before me, this *19* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *Alfred Price* and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____

189*6*

L. Hurley, J. P.

NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *L. Hurley*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this day of 189*6*.

P. Blevins
Clerk Superior Court.

End

3285

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Jas. H. Blernis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Saml Davis, Alfred Rice, Wm Rice, Wm A. Lewis, J. H. P. ...*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
W. H. Davis Notary Public
My Commission expires Nov. 7 1900.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *James H. Blevins* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *27* day of *July*, A. D., 189*6*, personally before me *M. C. Stark*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *James H. Blevins*, aged *25* years, a resident of *Ashe* county, and State of *North Carolina*, whose postoffice is *Cumple NC*, who after being duly sworn according to law, says that he is ~~one~~ ^{first second} Indian by blood and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he denies his Indian blood from his ancestor, the said Ned Sizemore, who was a full blood Cherokee Indian, as set out in his Petition and Memorial*

and is a direct lineal descendant of the *Sizemore* family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Sizemore* family to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood and is an admixture of *White* and Cherokee and at least one ~~half~~ ^{first second} Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

James H. Blevins
Subscribed and sworn to before me, this *27* day of *July*, A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Stark J.P.

Clarim
James H. Blevins
to Clarimant

Cherokee Indian Cite-
zenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dames Commission:

Your petitioner James H. Blevins, earnestly and respectfully represents that he is one ~~Native~~ ^{second} Cherokee Indian by blood, deriving the same from his lineal ancestor, the late Ned Sizemore through his father George Blevins, who was a son of George Blevins, who was a son of Lydia Blevins, who was a daughter of said Ned Sizemore who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body, the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is James Hiram Blevins age thirty-five years, residence Ash, Lee, in the State of North Carolina office address Example County of Ash State of North Carolina occupation that of a farmer and is a married man and the father of two minor children, George Blevins, aged 2 years and John A. Blevins, aged 3 months

Attesting witnesses,

Geo. B. Zolol [SEAL]
W. M. Lane [SEAL]

STATE OF North Carolina ss.
COUNTY OF Ash

Most Respectfully Submitted,

James H. Blevins [SEAL]
work

Personally appeared before me, M. C. Hash, a Justice of the Peace in and for said county in the State aforesaid, James H. Blevins, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the 27 day of July 1896

Attesting witnesses,

Geo. B. Zolol [SEAL]
W. M. Lane [SEAL]

James H. Blevins [SEAL]
work

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of July 1896, and I do certify that I am personally acquainted with James H. Blevins the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hash J. P.

STATE OF NORTH CAROLINA, ss.
ASH COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of August 1896.

P. Blevins
Clerk Superior Court.

Nation's No. 1768

Commission's No.

In re Application of

James H. Brown.

Demurrer and Answer.

A. S. MCKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

James H. Blount

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid ~~demurrer~~, but insisting upon the same for answer to said appli-
cation, says that *that* *respondent*

..... through whom the petitioner..... claim to derive *this* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, ~~west to~~ the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever ~~have resided~~ in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Haskins, Haskins & Band* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *17th* day of *Sept.* 1896.

John L. Adair
D. J. Ball
NOTARY PUBLIC.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after said first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and one James Blevins had several sons and daughters from whom have descended Lyddia Blevins had several sons and daughters; that said Catharine Sizemore, a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hush, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest (Signed) his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hush, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

(Signed) his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7, 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Boster, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverford, in said County, and that he is personally acquainted with James H. Blum, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said James H. Blum is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 16 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 7 day of September, A. D., 1896.

My Commission expires, March 7, 1900.

J. H. Boster
W. H. Boster, Notary Public.

#2854

3285-

No.....

IN THE MATTER OF

James M. Blumie

Claim to Citizenship in Cherokee

Nation, I. T.

Do Crumpler N.C.

Repetitive
(Sizemore family)

Filed Sept 7th 1896

H.M. Jacobson
Atty

John Barlow
Sims Creek
NC

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *William Price*, who after being by me duly sworn states that he is *86* years of age, and a citizen of *Ashe* County, and State of *North Carolina* and that he is personally acquainted with *James H. Blevins*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *James H. Blevins* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *James H. Blevins* is a son of *George Blevins*, who is a son of *Lyddia Blevins* who was a daughter of *Owen Sizer* who was a son of *Ned Sizer* who was a *Cherokee Indian* of the full blood; and is the father of the following named minor children; *George Blevins* and *John A. Blevins*.

Affiant further states that he has known the said *James H. Blevins* for the past *20* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *James H. Blevins* indicate that the said *James H. Blevins* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *James H. Blevins* affiant states he has every reason to believe and does believe that the said *James H. Blevins* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *James H. Blevins* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *James H. Blevins*.

Attest, *J. H. Blevins*

William L. Price
Justice of the Peace

Subscribed and sworn to before me, this *11* day of *August* A. D. 189*6*, and I further certify that I am well acquainted with the said *William Price* and know him to be a person of credibility and of truth and veracity.

M. C. Kask J. P.

My commission expires on the _____ day of _____ 189*7*.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Kask*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *19* day of *August*, 189*6*.

P. Blevins
Clerk Superior Court

End

3286

Nation's No1080.
Commission's No
In re Application of

Emma Stuart, et al.

Demurrer and Answer.

26

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Ema Stuart, et al.

Nation's No. 1080.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

through whom the petitioner claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 16 day of September, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Emma Shad for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Samuel Davis, Alfred Price, Wm Price, Wm A. Lewis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this the 4 day of September, 1896.

J. N. Baldwin
M. H. Gibbels Notary Public
My Commission expires Nov. 7 1900.

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Senate Committee

Your petitioner, *Emma Stuart*, earnestly and respectfully represents that she is *one*
1/2 Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Wm. S. Squire, through *Wm. S. Squire & Co. 1840*
who was 1/2 son of James Squire & Co. 1840
John Squire who was a daughter of James Squire
who was son of Wm. Squire who was a Cherokee
Indian of the full blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of her claim and if the same should be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name *Emma Stuart* age *twenty-two* years,
residence *Ashe Co. N.C.* in the State of *North Carolina* postoffice address *Silas*
Creek County of *Ashe* State of *North Carolina* occupation that of a
housewife, and is a married woman and the wife of
John Squire, married in 1840
John Squire aged 35 years, Emma Stuart aged 22 years
and 3 children

Attesting witnesses,

Most Respectfully Submitted,

Emma Stuart (SEAL)

Emma Stuart (SEAL)

SEAL

I, *John Squire*, a resident of the State of *North Carolina*, do hereby certify that the above

statement of facts is true and correct as stated therein, and that the petitioner in the above

petition is a Cherokee Indian citizen of the Cherokee Nation, Indian Territory, U. S. A., who after being

examined according to law states that the facts set forth in her said petition above are true as stated therein.

Witness my hand and seal this *14* day of *July* 1896

Attesting witnesses, *John Squire* (SEAL)

SEAL

SEAL

I, *John Squire*, a resident of the State of *North Carolina*, do hereby certify that the above

statement of facts is true and correct as stated therein, and that the petitioner in the above

petition is a Cherokee Indian citizen of the Cherokee Nation, Indian Territory, U. S. A., who after being

examined according to law states that the facts set forth in her said petition above are true as stated therein.

Witness my hand and seal this *14* day of *July* 1896

Attesting witnesses, *John Squire* (SEAL)

STATE OF NORTH CAROLINA, }
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *L. Squire*
John Squire, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *14* day of *July* 1896.

P. Blevins
Clerk Superior Court.

1

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of James Smith To Cherokee Indian Citizenship.

AFFIDAVIT OF James Smith

STATE OF Alabama
COUNTY OF Cherokee

On this, the 27 day of April, A. D. 1896, personally before me L. H. Huntley,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared James Smith aged 22 years, a resident of Smith
county, and State of Alabama whose postoffice is Smith, who after
being duly sworn according to law, says that he is Cherokee Indian by blood and
a claimant for Cherokee Indian citizenship. Affiant further says on oath

and is a direct blood descendant of the Smith family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said Smith to be of Cherokee
Indian blood and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of Cherokee Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of Cherokee Indian blood
and is an admixture of Cherokee and Cherokee and at least one Cherokee Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this 27 day of April,
A. D. 1896, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe he is to be a credible person.

L. H. Huntley, J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

Ga. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

STATE OF NORTH CAROLINA
County of Ashtabula

Affiant states these facts from his own knowledge and belief, based upon observation and has no interest direct or indirect in the outcome of the question of Neal Sizemore's citizenship.

(Affiant understands that the Affidavit must be signed by a U. S. citizen.)

State of North Carolina,) ss:
County of Ashe,)

Alford states these facts from his own personal knowledge and observation. Given this August 10th, 1896.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

(The foregoing is a copy of an affidavit filed with the Hon. Dawe Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation.)

Official character and genuineness of signature of Justice, certified to by Clerk of Court under seal of Court.

to the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY,
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory William A. Lewis, aged
seventy nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, affi-
ant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Western enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves not have been so enrolled and who married Catharine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Siz-
emore had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires, *Mar 7* 1900

#2817

1

IN THE MATTER OF

Claim to Citizenship in

Section 1. T.

John Elias Van Alen

(Signed and sealed)

Filed Sept 8th 1896

A.M. Bacon

Notary

Attest

John Van Alen

his ex. l. or

W.C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina
COUNTY OF Ashe

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared William Price who after being by me duly sworn states that he is 86 years of age, and a citizen of North Carolina County, and State of North Carolina and that he is personally acquainted with Cherokee, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Cherokee is the identical person, he represents himself to be in his application for citizenship in said Nation, and that the said Cherokee is of Indian blood.

Affiant further states that he has known the said Cherokee for the past 10 years and knows that he has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Indian blood, and that the complexion, physical appearance, language, manners of the said Cherokee indicate that the said Cherokee is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Cherokee affiant states he has every reason to believe and does believe that the said Cherokee is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Cherokee to citizenship in the Cherokee Nation, I. T., and that he is not related by blood or marriage to the said Cherokee.

Attest

William Price
Justice of the Peace

Subscribed and sworn to before me, this 10 day of August, A. D. 1896, and I further certify that I am well acquainted with the said Cherokee and know him to be a person of ability and of truth and veracity.

James H. Hester
1896

My commission expires on the 10 day of August, 1896.

STATE OF NORTH CAROLINA, } ss.
Ashe County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that William Price, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 10 day of August, 1896.

James H. Hester
Clerk Superior Court.

End

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Benjamin D. Jones* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Wm Price Alfred Price Wm. A. Lewis J. H. Barton & Samuel Davis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this the *7* day of September, 1896.

J. F. Baldwin
M. A. DeBails Notary Public

My Commission Expires Mar 7 1900

Clarke
to Benjamin F. Jones
to 3 Clarke
Cherokee Indian
Citizenship

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Daves Commission:*

Your petitioner *Benjamin F. Jones*....., earnestly and respectfully represents that he is *one*
Sixteenth..... Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned. Sizemore..... through his ^{mother} *Adaline Jones* who was a daughter
of *Ned Hart*, who was a son of *Catharine Hart*, who was a
daughter of said *Ned Sizemore*, who was a Cherokee Indian
of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Benjamin Franklin Jones*, age *forty-four*..... years
residence *Ashe Co.*....., in the State of *North Carolina*, postoffice address *Cornumple*
..... County of *Ashe*..... State of *North Carolina*..... occupation that of a
farmer

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

Benjamin F. Jones [SEAL]

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe*.....

Personally appeared before me, *M. C. Hash*, a Justice of the Peace
in and for said county in the State aforesaid, *Benjamin F. Jones*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the *28* day of *July* 1896.

Attesting witnesses,

Benjamin F. Jones [SEAL]

.....[SEAL]
.....[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *28* day of
July 1896, and I do certify that I am personally acquainted with *Benjamin F. Jones*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hash J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hash*.....
Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *12* day of *August* 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of Benjamin F. Jones..... To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF North Carolina..... }
COUNTY OF Ashe..... } ss.

On this, the 28 day of July..... A. D., 1896, personally before me..... M. C. Hask.....
....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared Benjamin F. Jones....., aged 44 years, a resident of Ashe.....
county, and State of North Carolina....., whose postoffice is Crumpler, N.C., who after
being duly sworn according to law, says that he is one sixteenth..... Indian by blood..... and
a claimant for Cherokee..... Indian citizenship. Affiant further says on oath that he
derives his Indian blood from his ancestor, the late
Ned Sezimore, a full blood Cherokee Indian, as set
forth in his Petition and Memorial

and is a direct lineal descendant of the Sezimore..... family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said Sezimore family to be of Cherokee
Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a Cherokee..... Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of Cherokee Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of Cherokee Indian blood
and is an admixture of white..... and Cherokee and at least one sixteenth..... Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Benjamin F. Jones
Subscribed and sworn to before me, this 28 day of July
A. D., 1896, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe him to be a credible person.

M. C. Hask J. P.

1

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Peterson, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 56 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cann-hers Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart; and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line; Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest }
J. H. BAYLON, } his
WILLIAM X PRICE, }
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Cammer, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

(Signed) ALFRED X PRICE,
his
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

Nation's No. 277

Commission's No.

In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of:

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Clerk of the Executive Nation, comes now and demands the said application, and for the growth of the nation.

1st. That the Commission be authorized to call parties or subject matter of this controversy, and no legal right, the testimony of any individual, or of any

Having fully answered your respondent's as to be hence dismissed.

S. B. MAYES, Principal Chief Cherokee Nation.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

Day 1

1544

NOTARY PUBLIC

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY,) ss
Cherokee Nation.)

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son, by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]

W. A. Lewis, Notary Public.

Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY,) ss.
Cherokee Nation.)

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barber, who after being by me duly sworn states that he is 56 years of age, and a resident of Ashe County, and State of North Carolina, who is personally acquainted with Waverford, in said County, and that he is personally acquainted with Benjamin H. Jones, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Benjamin H. Jones is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is a Cherokee Indian blood.

Subscribed and sworn to before me this 14 day of September, A. D., 1896.

My Commission expires 7 1897.

J. H. Barber
R. H. Davis Notary Public.

2855

N.

IN THE MATTER OF

James T. Hunt

vs

Adm. Est.

vs *James T. Hunt*

James T. Hunt
(*in person*)

Filed Sept 7th 1896
Asst. Comm.
Comm.

James T. Hunt
James T. Hunt
1896

AFFIDAVIT OF WITNESS.

State of *North Carolina*
County of *Ashe*

Before me, the undersigned, a Justice of the Peace in and for the County and State of *North Carolina*, who after being by me duly sworn state that *W. H. Jones* is *17* years of age, and a citizen of *Wayne* County, and State of *Virginia*, and that *W. H. Jones* is personally acquainted with *W. H. Jones* who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *W. H. Jones* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *W. H. Jones* is of *Cherokee* Indian blood.

W. H. Jones is of *Cherokee* Indian blood, and that the completion, physical appearance, and manner of the said *W. H. Jones* and date that the said *W. H. Jones* is of *Cherokee* Indian blood. That from the above facts and circumstances and from statements made to him by the said *W. H. Jones* affiant states he has every reason to believe, and does believe that the said *W. H. Jones* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *W. H. Jones* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *W. H. Jones*.

Subscribed and sworn to before me this *17* day of *July*, A. D. 189*6*, and I further certify that I am well acquainted with the said *W. H. Jones* and know him to be a person of credibility and of truth and veracity.

My commission expires on the *17* day of *July*, 189*6*.

OF NORTH CAROLINA,
Ashe County,

INDEXER BLEVINS, Clerk of the Superior Court of said county, do certify that *W. H. Jones*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are true to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of court, this *17* day of *July*, 189*6*.

INDEXER BLEVINS
Clerk Superior Court.

End



Nation's No. 1796.

Commission's No.

In re Application of

John J. West, et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
GEORGE W. BROWN, et al.

Nation's No. 1 96.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his objection, but insisting upon the same for answer to said appli-
cation, says that

through whom the petitioner^s claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By _____ Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, _____ day of _____, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, (ss.)
Cherokee Nation. (ss.)

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BORDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *James Lee A. Hester* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the advocates of

and of the attorneys on *Samuel Smith, called Peter*
Smith, called John Badwin,
James H. Smith

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That applicant has no interest in this matter.

Subscribed and sworn to before me this, 10 day of September, 1896

Subscribed and sworn to before me this, 11 day of September, 1896.

W. H. Lewis Notary Public

My commission expires 2nd Mar. 7, 1897

J. POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *11* *1906*
Wm. C. Blevins Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this *19th* day of *August* 1896. *Wm. Blevins*

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina,
County of Ashe.

Before me, John H. Barton, Justice of the Peace, in and for the county of Ashe, in the State of North Carolina, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Crabberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydiah who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydiah Blevins had several sons and daughters, from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Robert Hash, and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Subscribed and sworn to before me this 11th day of August, A. D. 1896, at Weaversford, N. C., in the presence of J. H. Barton, Justice of the Peace, in and for the county of Ashe, in the State of North Carolina, who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Crabberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydiah who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydiah Blevins had several sons and daughters, from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Robert Hash, and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Given under my hand and this seal of my office this 11th day of August, A. D. 1896, at Weaversford, N. C., in the presence of J. H. Barton, Justice of the Peace, in and for the county of Ashe, in the State of North Carolina, who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Crabberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydiah who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydiah Blevins had several sons and daughters, from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Robert Hash, and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,
County of Ashe.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Crabberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydiah who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydiah Blevins had several sons and daughters, from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Robert Hash, and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest [Signed] J. H. BARTON, his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand and date first above written.
[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Offhand signature and genuineness of signature certified by Clerk of Court, superior and County.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Indemnity to the Cherokee Nation, I. T.
INDIAN TERRITORY,
Cherokee Nation, I. T.

On the 2nd day of September, A. D. 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory William A. Lewis, aged
seventy-one years, whose post office address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east; that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
acquaintance of said Sizemore and his acquaintance with him, aff-
iant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Western enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been enrolled and who married Catharine, the daughter
of one Ned Sizemore, and affiant also remembers that said Ned Siz-
emore had a son by name of Owen an Earl's another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896

My commission expires

Wm A Lewis

[SEAL]

W. A. Lewis

Notary Public.

Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. B. Eldred, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with Samuel H. H. H. H., who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Samuel H. H. H. H. is the identical person he represents him self to be in a 24 application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by 10 neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, 7th day of September, A. D., 1896.
J. B. Eldred, Notary Public.

My Commission expires, March 7, 1900.

#2836

87

Coramellus Blum
to Lieutenant
to the [unclear]
to [unclear]
to [unclear]

Prigmore family
died Sept 8 1896
[unclear]
[unclear]

John [unclear]
[unclear]
[unclear]

Robert [unclear]
[unclear]
[unclear]

[Faint handwritten notes and signatures in the right margin]

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{ The 1st of 1860 }

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Hon. Secy of the Navy
the sum of \$1000
for the purchase of
the 1st of 1860

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for the purchase of
the 1st of 1860

#2836

General William
to his servant
to the mother-in-law
of William
to his wife

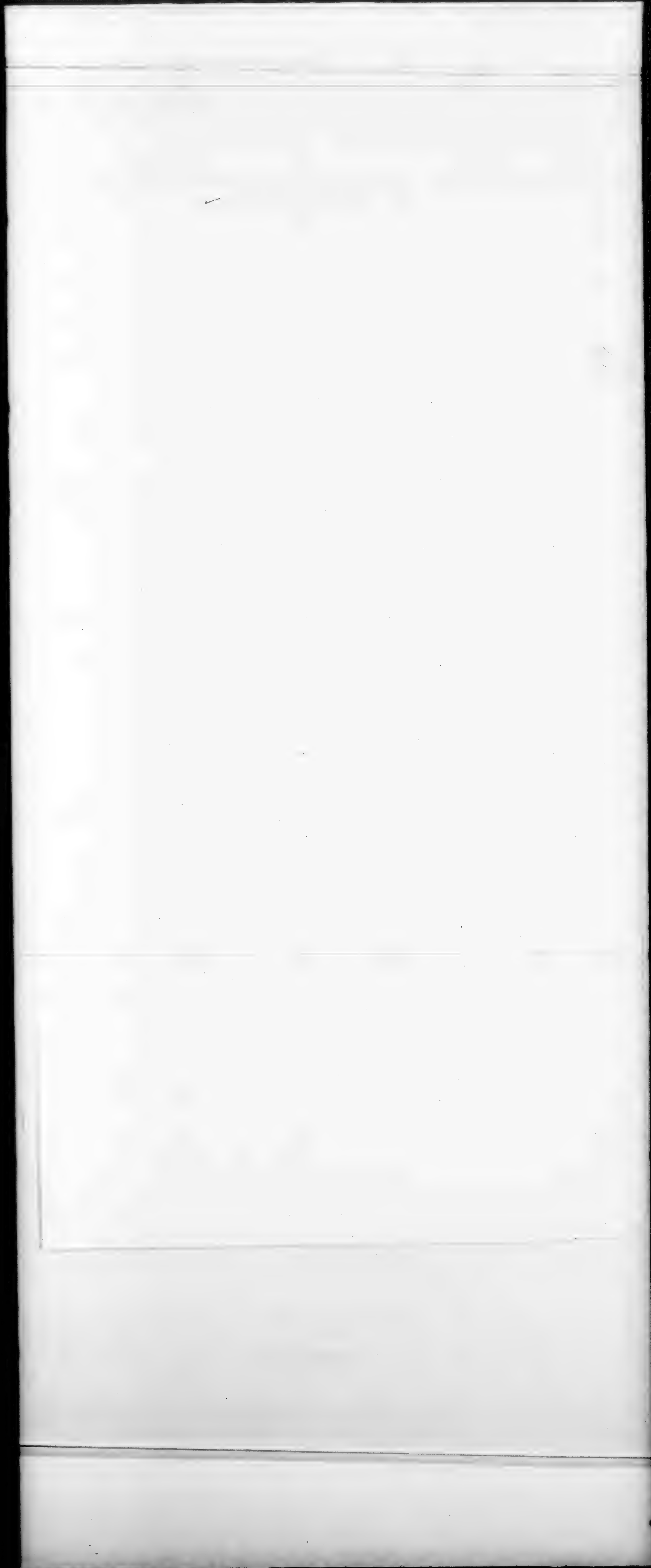
an expedition
fired with shot

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Nation's No. 1053.
Commission's No
In re Application of

John J. Lee, et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
[redacted], et al.

Nation's No. 53.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this demur is on his jurisdiction over the parties or subject matter of this controversy,
and to legal right, the respondent, intending to waive the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not admitting the charges, but insisting upon the same for answer to said appli-
cation, says that [redacted]

through whom the petitioner's claim to derive their right
to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [redacted], Attorney.

Attorneys.

John L. Allen, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

day of

1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Bartlesville, Ind. Ter., a package which contained a true copy of the application of *John May* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Chas. Lee, Wm. Price, Saml. Lee, and others*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this *5th* day of September, 1896.

W. H. Davis Notary Public

My Commission Expires Dec 1st/1901

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

I, John H. Miller, earnestly and respectfully represents that he is not
not Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
John H. Miller through John H. Miller

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of his claim, and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is John H. Miller, age 40 years
residence Wagon Wheel, Cherokee Co., N. C. In the State of North Carolina, postoffice address Wagon Wheel, N. C.
County of Cherokee State of North Carolina occupation that of a House Keeper

Most Respectfully Submitted,

Attesting witnesses,
John H. Miller (SEAL)

John H. Miller (SEAL)

STATE OF North Carolina
COUNTY OF Cherokee

I, John H. Miller, appeared before me, John H. Miller, a

Justice of the Peace in the State aforesaid, John H. Miller, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being

sworn according to law states that the facts set forth in his said petition above are true as stated

on the 10 day of Aug 1896

Attesting witnesses,
John H. Miller (SEAL)

John H. Miller (SEAL)

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 10 day of

Aug 1896, and I do certify that I am personally acquainted with

the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of

the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the

prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

John H. Miller

STATE OF NORTH CAROLINA,
J. H. COUNTY

I, John H. Miller, Clerk of the Superior Court of said county, do hereby certify that John H. Miller was at the time of so doing a
Justice of the Peace in said county, and that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage. Witness, my hand and seal
this 10 day of Aug 1896.

P. B. Lewis
Clerk Superior Court

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

POOR ORIGINAL -
BEST AVAILABLE COPY

C. and Vic. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

(Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 56 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C. and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest (Signed) his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

(Signed) his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) L. HURD, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.
INDIAN TERRITORY, Cherokee Nation.

On this, the 2nd day of September, A. D. 1896, personally ap-
peared before me, the undersigned, Notary Public, within and for the
Northern District of the Indian Territory William A. Lewis, aged
seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, affi-
dant knows him to have been a Cherokee Indian by blood and of
lawful blood; that he knew said Sizemore from about the year
1822 in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the American enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been so enrolled and who married Catharine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Sizemore
had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires *March 24 1900*

POOR ORIGINAL -
BEST AVAILABLE COPY

#2849

Rejection

IN THE MATTER OF

Bethany Blevins

Claim to Citizenship in

Nation I T

Post Office No 1004 Va

Dear Sir,

*I am sorry to hear of
your rejection of 7/26/96
and I am sorry*

*John Graham
Sarasota*

11/20

AFFIDAVIT OF WITNESS.

State of)
County of) ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared Wesley who after being by me duly sworn states that he is 67 years of age, and a citizen of North Carolina County, and State of North Carolina and that he is personally acquainted with John who is an applicant for citizenship in the United States Nation, I. T., and affiant further states that the said John is the identical person who represents himself to be in his application for citizenship in said Nation, and that the said John

Affiant further states that he has known the said John for the past 10 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Indian blood, and that the complexion, physical appearance, language and manners of the said John indicate that the said John is of Indian blood. That from the above facts and circumstances and from statements made to him by the said John affiant states he has every reason to believe, and does believe that the said John is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John to citizenship in the United States Nation, I. T., and that he is not related by blood or marriage to the said John.

Subscribed and sworn to before me this 10 day of Aug A. D. 1896, and I further certify that I am well acquainted with the said Wesley and know him to be a person of credibility and of truth and veracity.

My commission expires on the 10 day of Aug, 1897.

STATE OF NORTH CAROLINA
Ashe County

Subscribed and sworn to before me this 9 day of August 1896

D. B. Davis
Clerk Superior Court

End



Nation's No. 11-1
Commission's No. 11-1
In re Application of

Demurrer and Answer.

23-

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
[redacted]

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant [redacted]
entitled to citizenship.

Respondent now waiving his aforesaid demurres, but insisting upon the same for answer to said appli-
cation, says that [redacted]

[redacted] through whom the petitioner claim to derive [redacted] right
to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided, in the Cherokee Nation and Indian Territory, as citizens thereof.

Having now answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [redacted] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, [redacted] day of [redacted] 1896.

NOTARY PUBLIC.

14
SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Elphie Jennings* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Rice, Wm. Rice, Wm. A. Lewis, J. T. Lewis, Wiley, Brown,*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter

Subscribed and sworn to before me this, *14* day of September, 1896

J. N. Baldwin
W. H. Hobbs Notary Public

My Comm. expires April, Mar. 7 1901.

[Faint, illegible handwritten text]

[Faint, illegible handwritten text]

STATE OF NORTH CAROLINA,) ss.
ASHE COUNTY,

INDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 4th day of August, 1896.

[Signature]
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7 1900*, 189...

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. G. Lewis, who after being by me duly sworn states that he is 44 years of age, and a resident of Washington County, and State of North Carolina, whose postoffice address is Medina, in said County, and that he is personally acquainted with Elyzine Jennings, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Elyzine Jennings is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 16 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 7th day of September, A. D., 1896.
J. G. Lewis
M. A. Davis, Notary Public.

My Commission expires, March 7, 1900.

#2842

Reported
IN THE MATTER OF
Elzina Jennings
Claim to Citizenship in *Cherokee*

Nation, A. T.
Po Hawk N.C.

(Original furnished)
Filed Sept 8 1896
H.M. Jacobson
Secy
Reported
John Baldwin
Agent Cherokee
N.C.

AFFIDAVIT OF WITNESS.

State of *North Carolina*
County of *Ashe*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Mary Blum* who after being by me duly sworn states that she is *29* years of age, and a citizen of *Ashe* County, and State of *NC* and that she is personally acquainted with *Elyna Jennings* who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Elyna*

Jennings is the identical person she represents for self to be in her application for citizenship in said Nation, and that the said *Elyna Jennings* the daughter of *Wm. Sullivan* the daughter of *Eli Hart* who was the son of *Wm. Hart* who was a son of *Catherine Hart* who was daughter of *Red Seymour* a full *Cherokee* Indian

Affiant further states that he has known the said *Elyna Jennings* for the past *20* years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Elyna Jennings* indicate that the said *Elyna Jennings* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said

Elyna Jennings affiant states he has every reason to believe, and does believe that the said *Elyna Jennings* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Elyna Jennings* for citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Elyna Jennings*.

Subscribed and sworn to before me this *12* day of *Aug* A. D., 1896, and I further certify that I am well acquainted with the said *Mary Blum* and know her to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 1896.

STATE OF NORTH CAROLINA,
Ashe County,

I, *FORNACKER BLUM*, Clerk of the Superior Court of said county, do certify that *E. M.* *Hart* Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12* day of *August* 1896.

P. Blum
Clerk Superior Court

End

3091

Nation's No. 1487
Commission's No.
In re Application of

Wells 1000

Demurrer and Answer. 1896
FILED SEPT 11 1896
U.S. DISTRICT COURT
SOUTHERD DISTRICT OF NEW YORK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

John L. Adair
for citizenship in the Cherokee Nation.

Nation's No.

Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that... *John L. Adair*... through whom the petitioner... claim, to derive... *his*... right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *17th* day of *Sept*, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Wells Blevins* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Rice, Wm Rice, Wm A. Lewis, Wesley Blevins*

in support of same, the originals of which are now ~~filed~~ with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this *4th* day of September, 1896.

J. N. Baldwin
Notary Public
My Commission expires Mar. 7 1902

Petition and Memorial
For Indian Indian
Citizenship

To the Hon. House of Reps.

Your Petitioner Wells Blevins Earnestly and
Respectfully Represents that he is one Sixty Fourth
Cherokee Indian by blood deriving the same from
his Direct Ancestor the late Ned Sizemore through
his Mother Melvina Blevins who was a daughter
of Wiley Blevins who was a son of Cole Blevins
who was a son of Lydia Blevins who was a
daughter of a son of Ned Sizemore who was a son of
Ned Sizemore. A full blood Cherokee Indian.

Your Petitioner therefore submits to your Honorable
body the above statement of facts as grounds for
his application for Cherokee Indian Citizenship as
expressed in the Cherokee Bill and who has
submitted complete and satisfactory proof of his claim and
of the same to, and before the Indian and Civil Court and
has in stated that he is a native born citizen of the Rights
Privileges and Immunities of other citizens of said
Nation. Petitioner Full name is Wells Blevins
Age 22 years Residence, White County in the State of
A.C. Postoffice address, Ayer, Georgia. I was born at
A.C. Occupation first of a Farmer. I am married
and have one child to wit James A. Age 3 years

Most Respectfully Submitted

Witnessing Witnesses

Wells Blevins

Seal
Date

State of North Carolina }
County of Ashe } ss.

Personally appeared before me the J. M. Hart a Justice
of the Peace in and for said County in the State
of North Carolina H. Blevins the Petitioner in the
above Petition for Cherokee Indian Citizenship
in the Cherokee Nation Indian Territory U.S.A.
who after being duly sworn according to Law
testifies that the facts set forth in his said
Petition above are true and correct according to his
17 day of Aug. 1896 E. M. Hart J.P.

Witnessing witnesses

sub

sub

Subscribed and sworn to before me a Justice of
the Peace in and for said County on the 17 day of Aug. 1896
and I do certify that I am personally acquainted
with H. Blevins the said Petitioner and
know that he is a credible Person and is entitled
to full faith and credit before any of the Courts
of the State of N.C. and that I have no interest
directly or indirectly in the Prosecution of his
said claim for Cherokee Indian Citizenship
and am not financially interested in his marriage

E. M. Hart. J.P.

STATE OF NORTH CAROLINA, } ss.
Ashe County, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that D. M. Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 17 day of August 1896.

P. Plevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } SS,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after said first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly. Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.
Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory. William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis Notary Public.
My commission expires, *Mar 7, 1900*

some of my money & the other was for the same

W. S. H. H. H.

received in 1896 and a note dated
1896 or 1897

#2838

Accepted

John H. H.

W. S. H. H. H.

To W. S. H. H. H.

W. S. H. H. H.

P. O. Box N. C.

(Sizemore family)

Died Sept 5th 1896

W. S. H. H. H.

Accepted

John H. H.

Silas H. H.

N. C.

Applicant's History

State of North Carolina
County of _____

Before me this _____ day of _____ 18____ at _____ Place in
and for the County of _____ State of _____ Personage
appeared _____ Blevins who after being by me
duly sworn states that he is 67 years of age and
a Citizen of said County and the State of North
Carolina and that he is personally acquainted
with _____ Blevins who is the applicant for
Citizenship in the United States and
applicant further states that the said _____
Blevins is an American born in _____
County to be in his application for citizenship
in said Nation and that the said _____ Blevins
is a son of _____ Blevins who was a daughter
of _____ who was a son of _____ Blevins who was
a son of _____ Blevins who was a daughter
of _____ Blevins who was a son of _____ Blevins
and a good American citizen. Applicant
further states that he has known the said
_____ Blevins for the past 15 years and knows
that he is and has been recognized and
treated by his neighbors, acquaintances and
the Public generally as a person having Cherokee
Indian blood and that the complexion, physical
appearance, language and manners of the said
_____ Blevins indicate that the said
_____ Blevins is of Indian blood that from
the above circumstances and from
statements made to him by the said _____

Wesley Perkins

subscribed and sworn to before me this
17 day of Aug. A.D. 1846 and I further certify
that I am well acquainted with the said
Moses Burton and know him to be a Person
of credibility and of truth and sincerity

(۱۰۰)

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

End



1177

3792

Nation's No. 27

Commission's No.

In re Application of

G. H. Hines

Demurrer and Answer.

FILED SEPT. 9 1906. ☆

A. S. McKENNON

CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of.....

W. B. Lewis

Nation's No. *27*

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is* entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that *Neither he nor any of his ancestors* through whom the petitioner *claim* to derive *his* right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that ~~neither he~~ ^{neither} nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief of the Cherokee Nation
John A. Smith, Esq., Secy. of the Cherokee Nation
S. H. Mayes, having been first duly sworn, states that the matters contained in the foregoing answer, are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *1st* day of *May*, 1896.

D. J. Ball

NOTARY PUBLIC.

Nation's No.

1758

Commission's No.

In re Application of

Abner Bloom

Demurrer and Answer.

FILED SEPT. 23 1898

A. S. MCKENNON

COURT

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Sebrin B. Lewis
et al

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that..... *Ad Segunora*

..... through whom the petitioner..... claims to derive..... *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Ad Segunora, Washington & Bondurant* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept* 1896.

J. B. Bell

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Albert D. Lewis* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Samuel Davis Alfred Price, Wm. A. Lewis J H Barton & Wm Price*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this the *7* day of September, 1896.

J. H. Bulchorn
Notary Public
my Commission Expires Mar 7th 1900

Claim
to ⁵ Albert B. ...
to ³ Cassius ...
Cherokee Indian Citi-
zenship

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. James (Commissioner)

Your petitioner, Albert Blevins, earnestly and respectfully represents that he is one
~~eight~~ seventh Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

Ned Sigmour through his father, James Blevins,
who was a son of Lyddia Blevins, who was a daughter
of said Ned Sigmour, a Cherokee Indian of the
full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Albert Blevins, age fifty-four years.
residence Ashe Co., in the State of North Carolina, postoffice address Luxey
County of Ashe, State of N.C., occupation that of a farmer

is married man and the father of the following named minor
children: Rush Blevins, aged 20 years; Adah Blevins, aged 14 years;
Alma Blevins, aged 13 years; Luey Blevins, aged 11 years;
Murphy Blevins, aged 8 years; Eliza Blevins, aged 5 years;

Attesting witnesses,

Most Respectfully Submitted,

..... [SEAL]

Albert Blevins [SEAL]

State of North Carolina ss.
County of Ashe

Personally appeared before me, M. C. Hark, a Justice of the Peace
in and for said county in the State aforesaid, Albert Blevins, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the 16 day of July 1896.

Attesting witnesses,

Albert Blevins [SEAL]

..... [SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 16 day of
July 1896, and I do certify that I am personally acquainted with Albert Blevins
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the
Court of the State of North Carolina and that I have no interest directly or indirectly in the pro-
secu is said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hark J. P.

STATE OF NORTH CAROLINA, ss.
Ashe County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Albert Blevins
Albert Blevins, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19 day of August, 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Albert Blewitt To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

State of *North Carolina*
County of *Ashe*

On this, the *16* day of *July* A. D., 189*6*, personally before me, *M. C. Hask*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Albert Blewitt*, aged *54* years, a resident of *Ashe* County, and State of *North Carolina*, whose postoffice is *Sussex NC* who after being duly sworn according to law, says that he is *one* ^{*sixteenth*} ~~*eighteenth*~~ Indian by blood and claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he denies*

his Indian blood from his ancestor, the late Ned Segimore, as set out in his Petition and Memorial

and is a direct lineal descendant of the *Segimore* family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Segimore family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of *Cherokee* Indian blood and that ~~from~~ his complexion and physical appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood and is an admixture of *white* and Cherokee and at least one ~~eighteenth~~ ^{*sixteenth*} Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Albert Blewitt

Subscribed and sworn to before me, this *16* day of *July* A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Hask J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; that said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by (Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by (Clerk of Court under seal of Court.)

THE ORIGINAL -
BEST AVAILABLE COPY

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]

W H Roberts Notary Public.

Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared I. H. Banton, who after being by me duly sworn states that he is 32 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Shawboro, in said County, and that he is personally acquainted with Robert Blewett, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Robert Blewett is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 22 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me I. H. Banton this 12 day of September, A. D., 1896.

My Commission Expires Nov 1 1897 W. H. Davis, Notary Public.

2861

[Signature]

IN THE MATTER OF

[Signature]

STATE OF ILLINOIS

WILLIAM T. T.

No. 2861

(original of entry)
Filed Sept 7 '86
A. M. Cannon
Comr

John Cannon
Silas Cannon
1886

[illegible]

Admittant further states that he has no interest whatever in the prosecution of the claim of the said [redacted] to citizenship in the [redacted] Nation, I. T., and that he is not related by blood or marriage to the said [redacted]

William ^{was} ~~the~~ ^{Pres} ~~mark~~

McKee

My commission expires on the _____ day of _____ 189_____.

I, **POINDEXTER BLEVINS**, Clerk of the Superior Court of said county, do certify that *John H. ...*
John H. ..., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *22nd* day of *October*, 1896.

.....
Clerk Superior Court.

End



Nation's No. 1221

Commission's No.

In re Application of

1. *John S. Smith*

Demurrer and Answer.
25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKenno, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
William A. Jones

Nation's No.

Commissioner's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereon says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *John L. Adair*

through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
residing, or ever having resided in the Cherokee Nation are Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this

17th day of *October*

1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOULINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *John B. B. B.* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *James H. Updell, Jr., Wm. Price, Wm. H. Davis, J. H. Davis, J. H. Davis*

In support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That applicant has no interest in this matter. *2*

Subscribed and sworn to before me this, the 27 day of September, 1896.

My Commission Expires Mar 7th 1900

Cham
to Wm F. Hark
to 3 claimant
Cherokee Indian Citizenship

FOR CHEROKEE INDIAN COUNTRY

Your petitioner, William K. Hagan affirms and swears and represents that he is Att.

application for Cherokee Nation citizenship and for the Cherokee Nation and asks for a full and complete investigation of h22. Claimant for the same reasons as above and the same is herein stated, that he is allowed all the rights, privileges and immunities of the Cherokee Nation.

Attesting witnesses

.....

.....

State of *Ark.* 1882

County of Alameda

Personally appeared before me Wm. C. Brown of the County of Franklin State of Ill. in and for said County in the State aforesaid John F. Brown the person named in the above

petition for Cherokee Indian citizenship and to Cherokee Nation Council Territory, N. C. who after being duly sworn according to law states that the facts set forth in the said petition above are true as stated therein, this the 13th day of July 1901

Attesting witnesses

..... (SEAL)

..... (SEAL)

Subscribed and sworn to before me, a Justice of the Peace, at _____, on this 13 day
 June 1896, and I do certify that I am personally acquainted with _____ of Hask
 the said petitioner, and know that he is a credible person and of good character and credit before any of the
 Courts of the State of North Carolina, and that I have no objection to his being or indirectly in the pro-
 secution of his said claim for Cherokee Indian citizenship and an inheritance in my blood or marriage.

بجوہر درملاقیات

NORTH CAROLINA,
 _____ COUNTY.

J. PETER BLEVINS, Clerk of the Superior Court of said county, do hereby certify that _____
 _____, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn that all his official acts
 are true and correct, and that his signature thereon is genuine. Witness, my hand and seal of
 said Court, this ____ day of _____, 189____.

P. J. ...
Clerk Superior Court

GENERAL AFFIDAVIT.

—o—
IN THE MATTER OF CLAIM.

William F. Hark To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

State of *North Carolina* }
County of *Ashe* } ss.

On this, the *13th* day of *July* A. D. *1896*, personally before me, *W. E. Hark*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *William F. Hark*, aged *32* years, a resident of *False*
County, and State of *North Carolina*, whose postoffice is *Wanamaker* who after
being duly sworn according to law, says that he is *one sixteenth* Indian by *blood* and
claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he denies*
his Indian blood from his ancestors as set forth
in his Petition and Memorial

and is a direct lineal descendant of the *Seymour* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe
Indians. Affiant further says that he believes the said *Seymour family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *sixteenth* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

William F. Hark

Subscribed and sworn to before me, this *13th* day of *July*
A. D. *1896*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe him to be a credible person.

W. E. Hark

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, his
[Signed] WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY,) ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
J. H. Dobbins, Notary Public.
My commission expires, *Mar 7 1904*

Affidavit of Witness.

INDIAN TERRITORY, ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Porter, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverly in said County, and that he is personally acquainted with William H. Hark, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said William H. Hark is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Porter, day of September, A. D., 1896.

M. H. Brown, Notary Public.

My Commission expires, March 7, 1900.

#2147

N

IN THE MATTER OF

William F. Nash

vs. Elizabeth A. Curro

March 1, 1

No. Worcester N.C.

*(Nash family)
Filed Sept 8th 1896
C. McKimmon
Clerk*

*John Baldwin
Sims Park
W.C.*

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina*
COUNTY OF *Ashe*

Before me, the undersigned a Justice of the Peace, in and for the County and State aforesaid, personally appeared *Samuel Davis*, who after being by me duly sworn states that he is *77* years of age, and a citizen of *Haydon* County, and State of *Virginia* and that he is personally acquainted with *William F. Hark*, who is an applicant for citizenship in the *United States* Nation, I. T., and affiant further states that the said *William F. Hark* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *William F. Hark* is the same person as *John Hark* who was *born of Mary Hark* who was a daughter of *William Hark* who was a daughter of *John Hark* who was a son of a *Indian of the full blood*; and is the father of the following names, *John Hark*, *Edwin H. Hark*, and *Wm Hark*.

Affiant further states that he has known the said *William F. Hark* for the past *32* years, and knows that he is not a *person of color*, and that the complexion, physical appearance, language and manner of the said *William F. Hark* are such that the said *William F. Hark* is not a *person of color*, and does believe that the said *William F. Hark* is a *person of full blood*.

Affiant further states that he has no interest in the prosecution of the claim of the said *William F. Hark* in the *United States* Nation, I. T., and that he is not related by blood or marriage to the said *William F. Hark*.

Attest,

Samuel Davis

Subscribed and sworn to before me this *11* day of *Aug.* A. D. 1896, and I further certify that I am well acquainted with the said *William F. Hark* and know him to be a person of credit and of good character.

My commission expires on the *1* day of *Jan.* 1897.

STATE OF NORTH CAROLINA.
Ashe County,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *Samuel Davis* Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness my hand and seal of said Court, this *11* day of *August*, 1896.

P. Blevins
Clerk Superior Court.

End



Nation's No. _____
Commission's No. _____
In re Application of _____

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *(i)*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *John L. Adair*

through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *S. H. Mayes*

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this *17* day of *July* 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Mary J. Hall* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Alfred Price, Wm Price, Wm U. Lewis, J. H. Barton and Samuel Davis*

In support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
Notary Public
my Commission Expires Mar 7th 1900

Clavin
Mon. Hall
to Clavin
3
Cherokee Indian Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Senate & Commission:

Your petitioner, Mary J. Hall, earnestly and respectfully represents that she is one

Seventh Cherokee Indian by blood, deriving the same from her lineal ancestor, the late Ned Sizemore through her mother Mary Ann Phipps, who was a daughter of Robert and Margery Hark, the latter of whom was a daughter of James & Catherine Hart. The father of whom was a said Ned Sizemore who was a Cherokee Indian of the full blood.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as at present in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Mary Jane Hall age thirty-nine years residence Ashe Co. in the State of North Carolina postoffice address Siler Creek County of Ashe State of N.C. occupation that of a house-

wife and is a married woman and the mother of one infant child by name, Thad Hall, aged 6 years.

Attesting witnesses.

Most Respectfully Submitted,

[SEAL]

[SEAL]

State of North Carolina
County of Ashe

Personally appeared before me, Joshua Davis a Justice of the Peace in and for said county in the State aforesaid, Mary J. Hall the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the 14 day of July 1896.

Attesting witnesses.

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 14 day of July 1896 and I do certify that I am personally acquainted with Mary J. Hall the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, JESSE B. BLEVINS, Clerk of the Superior Court of said county, do certify that Joshua Davis, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are true to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court this 14 day of July 1896.

J. B. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Mary J. Hall

To Cherokee Indian Citizenship.

AFFIDAVIT OF

Claimant

North Carolina

County of Ashe

On this, the 14 day of July

A. D. 1896, personally before me, Eliza Lewis

a Justice of the Peace in and for the county aforesaid, duly authorized to administer

sworn Mary J. Hall

aged 35 years a resident of Ashe

County and State of North Carolina

whose postoffice is Selas Creek

glibly sworn according to law, says that she is a sixth

Indian by blood

claimant for Cherokee Indian citizenship

Affiant further says on oath

that she carries

her blood from her ~~descendant~~ ancestor
the late Ned ... is set out in her Pe-
tition and Memorial

is a direct descendant of the ~~Sequoy~~ family whose name she believes appears
upon the census ... that were taken by the United States government, by blood of the Cherokee tribe of
Indians. Affiant further says that she believes the said ~~Sequoy~~ family to be of Cherokee
Indian blood, and were members of the ... tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant
of a Cherokee Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of Cherokee Indian blood and that from her complexion and physical
appearance she has every reason to believe and does believe that she is of Cherokee Indian blood
and is an admixture of white and Cherokee and at least one ~~Sequoy~~ Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Eliza Lewis

Subscribed and sworn to before me, this ... day of

A. D. 1896, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe her to be a credible person.

...

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BAUTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, 1896.
Cherokee Nation, 1896.

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory William A. Lewis, aged
seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, af-
fiant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been enrolled and who married Catherine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Siz-
more had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires, *May 1900*

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared *J. H. Baxton*, who after being by me duly sworn states that he is *55* years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is *Weaveringford*, in said County, and that he is personally acquainted with *Mary J. Hall*, who is an applicant for citizenship in the Cherokee Nation, I. T., and adiant further states that the said *Mary J. Hall* is the identical person she represents *herself* to be in her application for citizenship in said Nation, and that he has known the said applicant for the past *14* years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant adiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this *9th* day of September, A. D., 1890.

M. H. Roberts
Notary Public.

My Commission expires, March 7, 1900.

#2130

1

IN THE MATTER OF

THE ESTATE OF

JOHN H. HARRIS, DECEASED

vs.

JOHN H. HARRIS

(Deceased)

Filed Sept 8/1914

Wm. H. HARRIS

John H. Harris

Wm. H. Harris

AFFIDAVIT OF WITNESS.

State of North Carolina } ss.
County of Ashe }

Before me, the undersigned, a Justice of the Peace in and for the County and State
aforesaid, personally appeared John H. Nash who after being by me duly sworn states
that he is 31 years of age and a citizen of North Carolina County, and State of North Carolina
and that he is personally acquainted with John H. Nash who is an applicant for
citizenship in the United States Nation, I. T., and affiant further states that the said John H. Nash
John H. Nash is the identical person he represents himself to be in his application for citizenship
in said Nation, and that the said John H. Nash is the identical person he represents himself to be in his application for citizenship

John H. Nash is the identical person he represents himself to be in his application for citizenship
in said Nation, and that the said John H. Nash is the identical person he represents himself to be in his application for citizenship

Affiant further states that he has known the said John H. Nash for the past 31 years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having Indian blood; and that the complexion, physical appearance,
language and manners of the said John H. Nash indicate that the said John H. Nash
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
affiant states he has every reason to believe, and does believe that the said John H. Nash
is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John H. Nash
to citizenship in the United States Nation, I. T., and that he is not related
by blood or marriage to the said John H. Nash.

Subscribed and sworn to before me this 14 day of August, A. D. 1896, and I further cer-
tify that I am well acquainted with the said John H. Nash and know him to be a
person of credibility and of truth and veracity.

My commission expires on the 14 day of August, 1896.

STATE OF NORTH CAROLINA, } ss.
Ashe County, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that John H. Nash
John H. Nash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 14 day of August, 1896.

P. Blevins
Clerk Superior Court.

End



Nation's No. _____
Commission's No. _____
In re Application of _____

Demurrer and Answer.
25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has no jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *Adair*
entitled to citizenship.

Respondent not waving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Adair*

through whom the petitioner claim to derive *Adair* right
to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *11* day of *June*, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Lydia Hamner* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of

*himself, Alfred Price, Wm. Price,
James H. Davis, 15th U.S. Secy, J. S. Davis,
Lester Davis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the

7 day of September, 1896.

J. N. Baldwin

W. H. Davis

Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

To / *1056*
Your petitioner, *John L. Perry*, earnestly and respectfully represents that he is
Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
....., through *as*

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *John L. Perry*, age *30* years,
residence *in the State of* postoffice address
County of State of occupation that of a
House Keeper, I am married and have 8 children their
names as follows, Wiley, age 18, Letha, age 17, Long, age 11,
Mauda, age 8, Bonnie, age 6, Birtie, age 4, Rocco, age 2,
Melb, age 1 -

Attesting witnesses,

L. C. Perry [SEAL]

Most Respectfully Submitted,

Sylvia Farmer [SEAL]

STATE OF
COUNTY OF

Personally appeared before me, *Wm. Miller*, a
in and for said county in the State aforesaid, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated therein,

this the *1* day of *1896*

Attesting witnesses,

[SEAL]

[SEAL]

Subscribed and sworn to before me, a as aforesaid, on this *2* day of
....., and I do certify that I am personally acquainted with
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

Wm. Miller J.P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *27* day of *1896*.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.
IN THE MATTER OF CLAIM

To Cherokee Indian Citizenship.
AFFIDAVIT OF

STATE OF
COUNTY OF ss.

On this, the 12 day of A. D., 1896, personally before me *Wm. Miller J.P.*
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *L. J. ...* aged 36 years, a resident of
county, and State of whose postoffice is who
being duly sworn according to law, says that he is Indian by
claimant for Indian citizenship. Affiant further says on oath

that he is a descendant of the family, whose name he believes appears
in the census lists that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said to be of Cherokee
blood, and that his ancestors were members of the tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of that family and that affiant has been recognized and treated by his neighbors and
by persons generally as a person of Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of Indian blood
and that his ancestors were of and Cherokee and at least one Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Jessie K. ...

Subscribed and sworn to before me, this 12 day of
A. D., 1896, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known or has been satis-
factorily identified before me and I verily believe him to be a credible person.

Wm. Miller J.P.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 14 day of 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe, } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn, states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him, and finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia, who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 14th day of August, A. D. 1896.
Attest (Signed) J. H. BARTON, his WILLIAM A. PRICE, mark.

Sworn to and subscribed before me this 14th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

(Signed) ALFRED A. PRICE, his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

NOT ORIGINAL -
NOT AVAILABLE COPY

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

~~Before me, the undersigned Justice of the Peace, in and for the coun-~~
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by (Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, 1896.
Cherokee Nation, 1896.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
Notary Public.
My commission expires March 7th 1900.

Affidavit of Witness.

INDIAN TERRITORY, ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared *William H. Lewis*, who after being by me duly sworn states that he is *44* years of age, and a resident of *Adair* County, and State of North Carolina, whose postoffice address is *Medina*, in said County, and that he is personally acquainted with *Lydia Harmon*, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said *Lydia Harmon* is the identical person he represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past *15* years and knows that she is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, *W. H. Lewis*, day of September, A. D., 1896.

W. H. Lewis, Notary Public.
My Commission expires, March 7, 1900.

#2160

[Faint signature]

IN THE MATTER OF

WILLIAM L. HARRIS

vs

vs Harris, N.C.

George J. Harris,

Filed Sep 8, 1896

W. L. Harris

comr

John Baldwin

Lucas Park

N.C.

AFFIDAVIT OF WITNESS.

STATE OF

COUNTY OF

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Elisha Blewins*, who after being by me duly sworn states that he is *74* years of age, and a citizen of *Wake* County, and State of *N.C.* and that he is personally acquainted with *Lydia Farmer*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Lydia Farmer* is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said *Lydia Farmer* is a daughter of *Bashaba Miller* whose maiden name was *Bashaba Blewins*, who was a daughter of *Willis Blewins*, who was a son of *Lydia Blewins*, who was a daughter of *Oran Sizemore*, who was a son of *Ned Sizemore*, a full blood Cherokee Indian.

That further states that he has known the said *Lydia Farmer* for the past *25* years. I know that she is an *Indian* blood, and that the complexion, physical appearance and features of the said *Lydia Farmer* indicate that the said *Lydia Farmer* is of *Cherokee* Indian blood.

That from these facts and circumstances and from statements made to him by the said *Lydia Farmer* affiant states he has every reason to believe and does believe that the said *Lydia Farmer* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Lydia Farmer* to citizenship in the *Cherokee* Nation, I. T., and that he is not connected by blood or marriage to the said *Lydia Farmer*.

Elisha Blewins
in

Subscribed and sworn to before me this *15* day of *Oct* A. D. 18*88* and I further certify that I am well acquainted with the said *Elisha Blewins* and know him to be a person of credibility and of truth and veracity.

W. H. Blewins J. P.

My commission expires on the _____ day of _____ 18*90*.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, *POINDEXER BLEWINS*, Clerk of the Superior Court of said county, do certify that *Elisha Blewins*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *17* day of *Oct* 1896.

E. H. Blewins
Clerk Superior Court.

End

Nation's No. 1757

Commission's No.

In re Application of

Elmer J. ...

Demurrer and Answer.

FILED SEPT.

1881 S. L. ...

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

E. L. Joann

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

..... through whom the petitioner..... claims to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept*, 1896.

A. L. Wall

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Eli Francis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of himself, Saml Davis, Alfred Pice, Wm A Lewis, J. N. Baldwin, Wm Pice

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7 day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

Chas.
Eli Francis
Clamant
Cherokee Indian Citizenship

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Dawes Commission:

Your petitioner, Eli Francis, earnestly and respectfully represents that he is one
~~Sixty-two~~ ^{thirty} Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore through his mother Elizabeth Francis,
who was a daughter of George Blevins, who was
a son of Lydia Blevins, who was a
daughter of Ned Sizemore who was a Cherokee
Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Eli Francis, age thirty-one years,
residence Ashe Co., in the State of North Carolina postoffice address Engene
County of Ashe, State of N.C., occupation that of a school teacher

Attesting witnesses,

Most Respectfully Submitted,

..... [SEAL.]
..... [SEAL.]

Eli Francis [SEAL.]

State of North Carolina } ss.
County of Ashe }

Personally appeared before me, W. C. Nash, a Justice of the Peace
in and for said county in the State aforesaid, Eli Francis, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the 16 day of July 1896.

Attesting witnesses,

Eli Francis [SEAL]

..... [SEAL.]
..... [SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 16 day of
July 1896, and I do certify that I am personally acquainted with Eli Francis
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the
Courts of the State of North Carolina and that I have no interest directly or indirectly in the pros-
ecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

W. C. Nash J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that W. C. Nash
Nash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
Court, this 12 day of August 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Eli Francis* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

State of *North Carolina*
County of *Ashe*

On this, the *16* day of *July* A. D., 189*6*, personally before me, *M. C. Nash*
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Eli Francis*, aged *21* years, a resident of *Ashe*
County, and State of *North Carolina*, whose postoffice is *Egypt N.C.* who after
being duly sworn according to law, says that he is *one eighth* Indian by *blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that he denies*

his Indian blood from his ancestor, the
late Ned Sizemore, as set out in his Pe-
tition & Memorial

and is a direct lineal descendant of the *Sizemore* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Sizemore family* to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood
and is an admixture of *White* and Cherokee and at least one *Cherokee* Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this *16* day of *July*
A. D., 189*6* and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe him to be a credible person.

M. C. Nash J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August, A. D. 1896, I, Alfred Price, appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis

[SEAL]

W A Lewis

Notary Public.

Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Seldum, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with Chas. Francis, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Chas. Francis is the identical person he represents him self to be in a his application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Seldum, day of September, A. D., 1896.
M. A. Soback, Notary Public.

My Commission expires, March 7, 1900.

#2126

No.

IN THE MATTER OF

Claim to Citizenship in

Nation, U. S.

Re Eugene H. ...

(Eugene family)

Filed Sept 8/86

Attest

Comm

John B. ...

Silas ...

MC

AFFIDAVIT OF WITNESS.

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Before me, the undersigned, a Justice of the Peace in and for the County and State
foresaid, personally appeared William Price, who after being by me duly sworn states
that he is 86 years of age, and a citizen of North Carolina County, and State of North Carolina
and that he is personally acquainted with John P. Henson, who is an applicant for citizenship
in the United States Nation, I. T., and affiant further states that the said John P. Henson
is the identical person he represents himself to be in his application for citizenship, in said Nation, and
that the said John P. Henson is a son of a Negro and a white person

Affiant further states that he has known the said John P. Henson for the past 10 years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having Indian blood, and that the complexion, physical appearance,
language and manners of the said John P. Henson indicate that the said John P. Henson
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
John P. Henson, affiant states he has every reason to believe and does believe that the said
John P. Henson is of Indian Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said
John P. Henson to citizenship in the United States Nation, I. T., and that he is not
related by blood or marriage to the said John P. Henson.

Attest John P. Henson

William Price
mark

Subscribed and sworn to before me, this 11 day of August A. D. 1896, and I further certify
that I am well acquainted with the said William Price and know him to be a person
of credibility and of truth and veracity.

My commission expires on the _____ day of _____

M. C. Hahn
1896

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that John P. Henson
John P. Henson, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 11 day of August, 1896.

P. H. Blevins
Clerk Superior Court.

End



Nation's No. 140

Commission's No.

In re Application of

George B. Smith

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
James J. Lamb

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *old document*

through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *W. L. Adams & Co.* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *10th* day of *July*, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Harvey J. Samuels* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Harvey J. Samuels, Alfred R. R. R., Wm. R. R., Wm. R. R., J. H. R. R. & Sam's R. R.*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

A. B. R. R.
W. H. R. R. Notary Public

My Commission Expires Mar 7th 1900

1
(Anne
to - Nancy J. Gambell
- - - - - Clamant
- - - - -
Theodore Indian City
Gambell

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Commissioners:

Your petitioner, Nancy J. Gambill, earnestly and respectfully represents that she is ~~an~~
~~Indian~~ Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Jed. Sizemore, through her mother Adaline Jones, who
was a daughter of Ned Hart, who was a son of Catharine
Hart, who was a daughter of said Ned Sizemore, who
was a Cherokee Indian of the full blood.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Nancy J. Gambill, age 40 years,
residence Ashe Co., in the State of North Carolina, postoffice address Cromb
County of Ashe, State of North Carolina, occupation that of a
housewife, and is a married woman and the mother of
following named minor children, Cynthia A. Gambill, age 16,
John E. Gambill, aged 14 years, Effie S. Gambill, aged
8 years.

Attesting witnesses,

Most Respectfully Submitted,

[SEAL.]
[SEAL.]

Nancy J. Gambill [SEAL]

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Personally appeared before me, M. C. Hark, a Justice of the Peace
in and for said county in the State aforesaid, Nancy J. Gambill, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated
therein, this the 28 day of July, 1896

Attesting witnesses,

Nancy J. Gambill [SEAL]

[SEAL.]
[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 28 day of
July, 1896, and I do certify that I am personally acquainted with Nancy J. Gambill
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M. C. Hark J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hark
Hark, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn: that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 28 day of July, 1896.

Poinexter Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Nancy J. Gambill To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina*)
COUNTY OF *Sashe*) ss.

On this, the *28* day of *July* A. D. 189*6*, personally before me, *M. C. Hask*, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Nancy J. Gambill*, aged *42* years, a resident of *Sashe* county, and State of *North Carolina*, whose postoffice is *Cumple A.C.* who after being duly sworn according to law, says that he is *one sixteenth* Indian by *blood* and a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that she derives her Indian blood from her ancestor, the late Ned Sigmon, a full blood Cherokee Indian as set out in her Petition and Memorial.*

and is a direct lineal descendant of the *Sigmon* family, whose name she believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that she believes the said *Sigmon family* to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant of a *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood and is an admixture of *white* and Cherokee and at least one *sixteenth* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Nancy J. Gambill
Subscribed and sworn to before me, this *28* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe her to be a credible person.

M. C. Hask

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

STATE OF NORTH CAROLINA,
County of Ashe

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the outcome of the decision of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

I, James Earl Ray, do hereby certify that the foregoing is a true and correct copy of the original as shown to me and I further certify that I am not a party to the same. My commission expires on 12-1-68.

State of North Carolina,) ss:)
County of Ashe,)

his
ALFRED & PRICE,
mark.

Subscribed and sworn to before me this 15th day of August, 1896.
 and signed the contents of the foregoing affidavit were fully made
 known to me before signing and swearing, and that said Alfred Price
 was sane and of full mind and credibility.

express under my hand this day and date first above written.
(Signed) L. Herly, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commissioner, in support of an application for citizenship in the Cherokee Nation.

_____, Clerk of Court, in presence of signature of Justice certified by _____

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, ss.
Cherokee Nation, ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this the 2nd day of Sept., 1896.

My commission expires, Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Luster, who after being by me duly sworn states that he is 35 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverly, in said County, and that he is personally acquainted with Lancey J. Gambrell, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Lancey J. Gambrell is the identical person ~~he~~ represents himself to be in her application for citizenship in said Nation, and that ~~he~~ has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by ~~her~~ neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me this 7th day of September, A. D., 1896.

My Commission expires, March 7, 1900.

J. H. Luster, Notary Public.

2/57

1

No.

IN THE MATTER OF

Nancy J. Buchanan

Claim to Citizenship in *U. S.*

Nation, I. T.

Po Crumpler N. C.

Filed Dec 8th 1896
As Mr. Kinn
(Squire family)

John Buchanan

John Buchanan
Silas C. ...

AFFIDAVIT OF WITNESS.

State of *North Carolina* } ss.
County of *Wayne*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Samuel Davis* who after being by me duly sworn states that, *he* is *17* years of age, and a citizen of *Wayne* County, and State of *Virginia* and that *he* is personally acquainted with *Nancy J. Gambell* who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Nancy J. Gambell* is the identical person *she* represents *herself* to be in *her* application for citizenship in said Nation, and that the said *Nancy J. Gambell* is a daughter of *John* *and* *she* was a daughter of *Ed. Hart*, *she* was a son of *Callum Hart*, who was a daughter of *Ed. Simpson*, who was a *Cherokee* Indian of the full blood; and is the mother of the following named minor children: *Cynthia A. Gambell, Cecil H. Gambell, Effie L. Gambell*

Affiant further states that *he* has known the said *Nancy J. Gambell* for the past *40* years and knows that *he* is and has been recognized and treated by *her* neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance language and manners of the said *Nancy J. Gambell* indicate that the said *Nancy J. Gambell* is of Indian blood. That from the above facts and circumstances and from statements made to *him* by the said *Nancy J. Gambell* affiant states *he* has every reason to believe, and does believe that the said *Nancy J. Gambell* is of *Cherokee* Indian blood. Affiant further states that *he* has no interest whatever in the prosecution of the claim of the said *Nancy J. Gambell* to citizenship in the *Cherokee* Nation, I. T., and that *he* is not related by blood or marriage to the said *Nancy J. Gambell*.

Subscribed and sworn to before me this *10* day of *Aug* A. D. 1896, and I further certify that I am well acquainted with the said *Samuel Davis* and know *him* to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 189 _____.

STATE OF NORTH CAROLINA. } ss.
Ashe County,

J. Poindexter Blevins, Clerk of the Superior Court of said county, do certify that *Samuel Davis* Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *17* day of *August* 1896.

P. Blevins
Clerk Superior Court.

End



Nation's No. 1065.
Commission's No.
In re Application of
MCCOY, et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
George H. Gilbert, et al.

Nation's No. 1065.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

through whom the petitioners claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By William B. Keith, Counselor.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 11th day of June, 1896.

NOTARY PUBLIC.

of the Descendants of Ned Sizemore to
the Cherokee Nation, I. T.

CHEROKEE TERRITORY,
Indian Territory.

On the 2nd day of September, A. D. 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Cherokee Nation, Indian Territory, William A. Lewis, aged
years, whose post office address is at Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways treated as a Cherokee Indian, and from the
acquaintance of said Sizemore and his acquaintance with him, al-
lows him to have been a Cherokee Indian by blood and of
about 1840; that he knew said Sizemore from about the year
1842, in North Carolina, and believes that said Sizemore was en-
gaged in the Cherokee migration of about that date, and again in
the Cherokee migration.

Aunt further states that he knew one James Hart, whom he be-
lieves to have been so called and who married Catharine, the daughter
of Ned Sizemore, and Aunt also remembers that said Ned Sizemore
had a son by name of Owen and also another son by name of
George. Aunt further states that said Ned Sizemore and his family,
on migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Aunt states these facts from his own personal knowledge. Af-
tendant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires *Mar 7* 1900.

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared *James C. Gibson*, who after being by me duly sworn, states that he is *34* years of age, and a resident of *Ashe County*, and State of *North Carolina*, whose postoffice address is *Hubert*, in said County, and that he is personally acquainted with *Mercy Gilbert*, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said *Mercy Gilbert* is the identical person he represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past *20* years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, *Aug. 2nd* day of September, A. D., 1896.

My Commission expires, March 7, 1900.

W. H. Gibson, Notary Public.

petition and memorial
for Cherokee Indian citizenship
To The Hon Daws Carn ^{it is proven and}
your petitioner Mezey Gilbert ^{the Belknap}
and Respectfully Represents that
she is ~~an~~ Cherokee Indian
by blood deriving the same from her
lineal ancestor the late Ned Sigemore
through her Father James Strong Blewins
who was a son of Lydia Blewins
who was a daughter of Owen Sigemore
who was a son of Ned Sigemore a
full blood Cherokee Indian your
petitioner ~~is~~ submits to your
Honorable Body the above facts as
grounds for her Application for
Cherokee Indian citizenship as afore
said, in the Cherokee nation and asks
for full and complete investigation
of her claim and if the same is found
to be valid and correct as herein stated
that she be allowed all the rights
privileges and immunities of other
citizens of said nation petitioner's
name is Mezey Gilbert age 57 years
Residence Johnson county state of Tenn
post office address is Silver Lake Johnson
county state of Tenn occupation that
of House Wife I am married have no
children, one adopted child a niece
age 23 years

Attesting Witnesses most Respectfully submitted

Seal } ss
Seal } ss

Meacy Gilbert Seal

State of North Carolina } ss
County of Ashe } ss

Personally appeared before me

a Justice of the peace in and for
said County in the State of North Carolina
Meacy Gilbert the Petitioner in the above
Petition for Cherokee Indian Citizenship
in the Cherokee Nation Indian Territory
U.S.A. who after being duly sworn
according to Law states that the facts
set forth in her said petition above
are true as stated there in this the
8th day of August 1896

Attesting Witnesses

Seal

ss ss
ss ss

subscribed and sworn to before me a
Justice as aforesaid on this the 8th day
August 1896 and I do certify that I am
Personally acquainted with Meacy
Gilbert the said Petitioner and know that
she is a credible Person and entitled to
full faith and credit before any of
the Courts of the State of N.C. and that
I have no interest Directly or indirectly
in the Prosecution of her said claim
for Cherokee Indian Citizenship and
am not Related to her by Blood
or marriage

STATE OF NORTH CAROLINA, } ss
Ashe County, } ss

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 8th day of August 1896.

.....
Clerk Superior Court.

POOR ORIGINAL -
BEST AVAILABLE COPY

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Mary Smith* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *David Davis, Wm. Price, Wm. Price, W. A. Davis, J. L. Davis, S. L. Davis, B. Davis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *4th* day of September, 1896.

J. L. Baldwin
W. A. Davis Notary Public

My Commission Expires Nov. 7 1900.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had, one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASE, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest (Signed) his
J. H. BARTON, WILLIAM x PRICE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

(Signed) his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

Affidavit of Witness
State of North Carolina
County Ashe

Before me N. H. Blevins a Justice of the Peace
in and for the County and State Aforesaid
Personally appeared Elisha Blevins who States on
Oath that he is 74 years old and a Residence
of Ashe County North Carolina. That he is
Personally acquainted with Meey Gilbert who
is an Applicant for Citizenship in the Cherokee
Nation and that he knows from his
Own Personal knowledge that she is the
Identical Person she Represents herself to be
that she is a daughter of A. Blevins a son of
James and Lydia Blevins whose maiden name
was Lydia Sizemore a daughter of Owen
Sizemore a son of Ned Sizemore a full
blood Cherokee Indian Applicant further States
on Oath that he has known the said Meey
Gilbert for the last 35 years and that
during that time he was personally acquainted
with the said Meey Gilbert and that he was
known Recognized and treated by his neighbors
and the public generally as a Person of Cherokee
Indian blood that the said Ned Sizemore
Emigrated from the Cherokee Reservation
in N.C. and settled in Ashe County N.C.
Applicant further States that the complexion
Physical Appearance Language manner of
the said Meey Gilbert indicate that she

is of Cherokee Indian blood and from
 these facts and circumstances and from
 statements made by the said Meacy Gilbert
 Affiant has every reason to believe and
 does believe that the
 said Meacy Gilbert is of Cherokee Indian
 blood Affiant further states that he
 has no interest directly or indirectly in the
 prosecution of the claim of said Meacy
 Gilbert to citizenship in said Nation that
 he is not related to the said Meacy Gilbert
 by blood or marriage that the said Meacy
 Gilbert is of Cherokee

And while Decent
 John P. Blevins
 11/27

Subscribed and sworn to before me this the 26
 day of Oct 1888 and the fact of said
 I am well acquainted with

him to be a person of sound
 of truth and veracity and
 in the claim of the said Meacy
 Gilbert to citizenship in the Cherokee Nation
 Chas.

Witness my hand and seal of
 the office of the Clerk

STATE OF NORTH CAROLINA,
 ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
 Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this 1st day of August, 1896.

P. P. Blevins
 Clerk Superior Court.

he is not Related to the said Mary Gilbert
by blood or marriage that the said Mary
Gilbert is of Cherokee and white descent

Eliza for Blaines
more

Subscribed and sworn to before me this the 26th
day of Oct 1888 and I further certify
I am well acquainted with the person
him to be a person of Cherokee
of truth and veracity.

#2187

Wm. Gilbert
Cherokee
to the Indian
City
Silas Lake, Tenn
Regist.
(Sizumore family)
Filed Sep 8th 1886
A. M. McIlwain
Comm

John Baldwin
Silas Lake
MC

End

3299

SERVICE AFFIDAVIT.

INDIAN TERRITORY,)
Cherokee Nation.) ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Lester & Stella Phipps* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *J. E. Phipps, Sam'l Davis, Alfred Phipps, Wm. Phipps, Wm. A. Lewis, J. M. Baldwin*

In support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this 7th day of September, 1896.

A. J. Seddum
M. H. DeBilis Notary Public

My Commission expires Mon. 7 1900.

PETITION AND MEMORIAL FOR CHEROKEE INDIAN CITIZENSHIP.

To *The Hon. Lanes Commission:*
Your petitioner, *J. E. Pluffe next friend & father of Leticia Pluffe & also his* earnestly and respectfully represents that *he is*
one sixty-fourth Cherokee Indian by blood, deriving the same from *his* ~~ancestral~~ *ancestral* ancestor, the late
Mr. Sigmund, through *his mother Alice Pluffe who*
was a daughter of Lydia Blevins who was a daughter
of Eri Blevins who was a son of Lydia Blevins who
was a daughter of Owen Sigmund, who was a son
of Sigmund who was a Cherokee Indian of the
free blood

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for the
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of the claim and if the same is found to be valid and correct as herein stated, that *he* be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is _____, age _____ years,
residence _____, in the State of _____, postoffice address _____
County of _____ State of _____ occupation that of a _____

*This full name is Leticia Pluffe, age 4 years,
residence _____, postoffice address _____
in _____, _____, N. C.*

Attesting witnesses,

Most Respectfully Submitted,

STATE OF _____
COUNTY OF _____ ss.

J. E. Pluffe [SEAL]

Personally appeared before me, *L. Hurley*, a _____, a _____
in and for said county in the State aforesaid, *J. E. Pluffe*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in *his* said petition above are true as stated therein,
this the *14* day of *July* 189*6*.

Attesting witnesses,

J. E. Pluffe [SEAL]

[SEAL]

Subscribed and sworn to before me, a *Justice of the Peace* as aforesaid, on this *14* day of
July 189*6* and I do certify that I am personally acquainted with *J. E. Pluffe*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of *his* said claim for Cherokee Indian citizenship and am not related to *him* by blood or marriage.

L. Hurley [SEAL]

STATE OF NORTH CAROLINA, }
ANNE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that _____
Hurley Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *19* day of *August* 189*6*.

P. Blevins
Clerk Superior Court.

Lester & Anna
Couples

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of *Edward Stua Phelps* *by their father and next friend J. E. Phelps*
To Cherokee Indian Citizenship.

AFFIDAVIT OF *Edward J. E. Phelps*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *14* day of *July*, A. D., 189*6* personally before me *L. Hurley*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *J. E. Phelps*, aged *33* years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Seas Creek N.C.*, who after
being duly sworn according to law, says that *he is a Cherokee Indian by blood* and
a claimant for *Cherokee* Indian citizenship. Affiant further says on oath *that they*
derive their Indian blood from their ancestor,
the late Ned Ignace, as set out in his
Petition and Memorial

and *is* direct lineal descendant of the *Stua* family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said *Stua* family to be of Cherokee
Indian blood, and were members of the *Stua* tribe of Indians.

Affiant further says he has been taught and has heard from *his* earliest youth that *he is* a descendant
of a *Cherokee* Indian family and that affiant has been recognized and treated by *his* neighbors and
the public generally as a person of *Cherokee* Indian blood and that from *his* complexion and physical
appearance he has every reason to believe and does believe that *he is* of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *three-fourths* Indian by blood.

Affiant further says the above statements are true to the best of *his* knowledge and belief.

J. E. Phelps
Subscribed and sworn to before me, this *14* day of *July*
A. D. 189*6*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe *him* to be a credible person.

L. Hurley J. P.

1

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State of North Carolina, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] WILLIAM x PRICE.
J. H. BARTON. his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Western enrollment.

Affiant further states that he knew one James Hart, whom he believes have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, Mar 7' 1900

Affidavit of Witness.

INDIAN TERRITORY.
Cherokee Nation.

Before me, the undersigned Notary Public, on and for the Northern District of the Indian Territory, personally appeared J. B. Eldern, who after being by me duly sworn states that he is 32 years of age and a resident of Ashe County, and State of North Carolina, whose postoffice address is Rich, in said County, and that he is personally acquainted with Stella Papp who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Stella Papp is the identical person who represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past years and knows that she and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 10 day of September, A. D., 1896.

J. B. Eldern, Notary Public.
My Commission expires, March 7, 1900.

#2190

IN THE MATTER OF

Credit of Citizens

Nation 17

Re 3rd Cir. 11th U.S.

(Supreme Court)
Filed Sep 24 1896
A. J. McKenna
Clerk

John H. McQuinn
Clerk
11th

AFFIDAVIT OF WITNESS.

STATE OF

COUNTY OF

Before me, the undersigned, in and for the County and State aforesaid, personally appeared, who after being by me duly sworn states that he is 86 years of age, and a resident of Ashe County, and State of North Carolina, and that he is personally acquainted with William Price, who is applicant for citizenship in the United States Nation, I. T., and affiant further states that the said William Price is the identical person he represents, and that he is in his application for citizenship in said Nation, and that the said William Price is of Indian blood.

Affiant further states that he has known the said William Price for the past 25 years and knows that William Price has been recognized and treated by the neighbors, acquaintances and the public generally, as a person having Indian blood, and that the complexion, physical appearance, language and manners of the said William Price indicate that the said William Price is of Indian blood. That from the above facts and circumstances and from statements made to him by the said William Price, affiant states he has every reason to believe and does believe that the said William Price is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said William Price to citizenship in the United States Nation, I. T., and that he is not related by blood or marriage to the said William Price.

Attest:

Subscribed and sworn to before me this 11 day of April, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of credibility and of truth and veracity.

My commission expires on the 1 day of May, 1896.

189

STATE OF NORTH CAROLINA,) ss.
Ashe County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that William Price, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 11 day of April, 1896.

Clerk Superior Court.

Nation's No. 1797

Commission's No.

In re Application of

Lester & Della Shipps

Demurrer and Answer.

FILED SEPT. 26 1896

A. S. McKENNEY

COM' R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Lester & Stella Thibodeau

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *John L. Adair*

..... through whom the petitioner..... claim to derive *their* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Hastings & Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *July* 1896.

John L. Adair
S. H. Mayes
NOTARY PUBLIC.

End

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3300

Nation's No. 114 09

Commission's No.

In re Application of

Th. as Trust

Demurrer and Answer.

FILED SEPT. 25 1907
A. S. LICK
CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

The Hawk

Nation's No. _____

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship. 10

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that: *Not as above*

... through whom the petitioner... claims to derive... his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Harold G. Bullock & Paul M. Baudoux Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 17th day of Sept. 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Thomas Hosh for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of, himself, Alfred Rice, Wm Rice,
10th U. Lewis J. H. Barton & Samuel Davis

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this 7 day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Darius Commission:

Your petitioner, Thomas Hash, earnestly and respectfully represents that he is one

Sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

Ned Sizemore through his father John Hash, who was a son of Maryem Hash, who was a daughter of Catharine Hart, who was a daughter of said Ned Sizemore who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Thomas Hash, age Sixteen years, residence Ashe Co., in the State of North Carolina postoffice address Sussex County of Ashe State of North Carolina occupation that of a Carpenter

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]

Thomas Hash [SEAL]

[SEAL]

STATE OF North Carolina } ss.
COUNTY OF Ashe

Personally appeared before me, M.C. Hash, a Justice of the Peace in and for said county in the State aforesaid, Thomas Hash, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the 27 day of July 1896.

Attesting witnesses,

Thomas Hash [SEAL]

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of July 1896, and do certify that I am personally acquainted with Thomas Hash the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M.C. Hash J.P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M.C. Hash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court this 12 day of August 1896.

P. Blevins
Clerk Superior Court.

Clami

Thomas Nash

to

Claimant

Cherokee Indian

Citizenship

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Thomas Nash* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Claimant*

STATE OF *North Carolina* }
COUNTY OF *Ashe* } ss.

On this, the *27* day of *July*.... A. D., 189*6*, personally before me, *M. C. Nash*....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared *Thomas Nash*....., aged *17*.. years, a resident of *Ashe* county, and State of *North Carolina*..., whose postoffice is *Surrex N. C.*, who after being duly sworn according to law, says that he is ~~not~~ *sixteenth* Indian by *blood*.. and a claimant for *Cherokee*..... Indian citizenship. Affiant further says on oath *he denies his Indian blood from his ancestor, the said Ned Sizemore, a full blood Cherokee Indian, as set forth in his Petition and Memorial*

and is a direct lineal descendant of the *Sizemore*..... family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said *Sizemore* family to be of Cherokee Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a *Cherokee*... Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of *Cherokee* Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of *Cherokee* Indian blood and is an admixture of *white* and Cherokee and at least one *Sixteenth*.. Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Thomas Nash

Subscribed and sworn to before me, this *27* day of *July*
A. D., 189*6*, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Nash J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } SS,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, ss.
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or from some several years prior to the time affiant first knew him; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia, who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters, from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM X PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED X PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY,) ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barter, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Heavensford in said County, and that he is personally acquainted with Thomas Hask, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Thomas Hask is the identical person he represents him self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 12 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Barter day of September, A. D., 1896.
M. H. Boats, Notary Public.

My Commission expires, March 7, 1900.

AFFIDAVIT OF WITNESS.

State of *North Carolina* } ss.
County of *Dobson*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State
aforesaid, personally appeared *Samuel Davis* who after being by me duly sworn states
that he is *77* years of age, and a citizen of *Guyton* County, and State of *Virginia*
and that he is personally acquainted with *Thomas Hark* who is an applicant for
citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Thomas*
Hark is the identical person he represents himself to be in his application for citizenship
in said Nation, and that the said *Thomas Hark* is a son of *John*

Hark who was a son *Margery Hark*, who was a
daughter of *Catherine Hark*, who was a daughter
of *Ned Sigemore* who was a *Cherokee Indian*
of the full blood

Affiant further states that he has known the said *Thomas Hark* for the past *17* years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance,
language and manners of the said *Thomas Hark* indicate that the said *Thomas Hark*
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
Thomas Hark affiant states he has every reason to believe, and does believe that the said
Thomas Hark is of *Cherokee* Indian blood.
Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Thomas*
Hark to citizenship in the *Cherokee* Nation, I. T., and that he is not related
by blood or marriage to the said *Thomas Hark*

Subscribed and sworn to before me this _____ day of _____
tify that I am well acquainted with the said _____
person of credibility and of truth and veracity.

A. D., 189____, and I further cer-
and know him to be a

My commission expires on the _____ day of _____, 189____.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that _____
Samuel Davis, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *12th* day of *August*, 1896.

P. Blevins
Clerk Superior Court.

#2145

No.

IN THE MATTER OF

John Baldwin

Claim to Citizenship in ...

Nation, I. T.

Do Surrey N.C.

(Superior family)

Filed Sept 28/96

Attest

John Baldwin

Silas Gresham

Mc

End

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Alex. Peak

for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *himself, Alfred Price, Wm. Price, Wm. A. Lewis, J. H. Barton & Samuel Davis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the *7* day of September, 1896.

M. H. Davis Notary Public

My Commission Expires Mar 7th 1900

Clavin
b3 Alexander Rex
3 Clavin
Archie Indian Citizenship

4
7

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. James Commission:

Your petitioner, Alexander Peak, earnestly and respectfully represents that he is one
thirty-second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sigemore through his mother Caroline Peak,
who was a daughter of Nellie Spencer, who was a
daughter of Mackey Hash, who was a daughter of Esther
and Hatt, who was a daughter of the said Ned
Sigemore who was a Cherokee Indian of the
full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Alexander Peak, age twenty-one years.
residence Grayson, in the State of Virginia, postoffice address Grayson
County of Ashe, State of North Carolina, occupation that of a farmer

Attesting witnesses,

J. H. Barton [SEAL]
J. A. Spencer [SEAL]
State of North Carolina ss.
County of Ashe

Most Respectfully Submitted,

Alexander Peak [SEAL]
mark

Personally appeared before me, M. C. Hash, a Justice of the Peace
in and for said county in the State aforesaid, Alexander Peak, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the 16 day of July 1896.

Attesting witnesses,

J. H. Barton [SEAL]
J. A. Spencer [SEAL]

Alexander Peak [SEAL]
mark

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 16 day of
July 1896, and I do certify that I am personally acquainted with Alexander Peak
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the
Courts of the State of North Carolina and that I have no interest directly or indirectly in the pro-
secution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hash J. P.

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY.

I INDEXTER BLEVINS, Clerk of the Superior Court of said
Hash, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 17 day of August, 1896.

P. Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of Alexander Peak To Cherokee Indian Citizenship.

AFFIDAVIT OF Affiant

State of North Carolina
County of Ashe

On this, the 16 day of July A. D., 1896, personally before me, M. C. Hask, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared Alexander Peak, aged 21 years, a resident of Grayson County, and State of Virginia, whose postoffice is Grayson, Va. who after being duly sworn according to law, says that he is one thirty-second Indian by blood and a claimant for Cherokee Indian citizenship. Affiant further says on oath that he denies his Indian blood from his ancestors the said Ned Sizemore as stated in his Petition and Memorial

and is a direct lineal descendant of the Sizemore family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said Sizemore family to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of Cherokee Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of Cherokee Indian blood and is an admixture of white and Cherokee and at least one thirty-second Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Attest
J. A. Spencer

Alexander Peak
Subscribed and sworn to before me, this 16 day of July

A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Hask J.P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

G., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] J. H. BARTON.

WILLIAM PRICE.
his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HARR, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 78 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

Nation's No. 1111
Commission's No.
In re Application of

W. H. Anderson

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that: through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By John L. Adair, Executive Secretary, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, 17 day of June, 1896.

NOTARY PUBLIC.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, ss.
Cherokee Nation, ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires *Mar 7, 1900*

Affidavit of Witness.

INDIAN TERRITORY, }
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is fifty five years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverford, in said County, and that he is personally acquainted with Alexander Peak who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Alexander Peak is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 3 day of September, A. D., 1896.
M. J. Roberts, Notary Public.

My Commission expires, March 7, 1900.

#2196

No.

IN THE MATTER OF

Claim to Citizenship in

Nation, A. T.

Do Cherry Creek N.C.

Filed Sept 28th 1896

Asst. Comm.

(Buzinon family)

John B. Baldwin

Silas Crest
ME

Rejected

— 0 —

State of Alabama }
County of Adair } ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State of Mississippi, the aforesaid, personally appeared Samuel Davis who after being by me duly sworn states that he is 77 years of age, and a citizen of Grayson County, and State of Mississippi and that he is personally acquainted with Alexander Peas who is an applicant for citizenship in the Hezeker Nation, I. T., and affiant further states that the said Alexander Peas is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Peas

daughter of the same name who was
born in 1800 to the same parents
and was also a member of the same
family.

Affiant further states that he has known the said Gopal Singh for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Indian Indian blood; and that the complexion, physical appearance, language and manners of the said Gopal Singh indicate that the said Gopal Singh is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Gopal Singh affiant states he has every reason to believe, and does believe that the said Gopal Singh is of Indian Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said _____ to citizenship in the _____ Nation, I. T., and that he is not related by blood or marriage to the said _____.

Subscribed and sworn to before me this day of A. D., 189 , and I further cer-
tify that I am well acquainted with the said and know h to be a
person of **credibility** and of truth and veracity.

My commission expires on the _____ day of _____, 189 .

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
W. F. Blevins, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this 14th day of August, 1896.

Phrasing
Clerk Superior Court.

End

Nation's No. 1875

Commission's No.

In re Application of

Caroline Shipper

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
John L. Adair

Nation's No.

Commissioner's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *(C)*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *John L. Adair*

through whom the petitioner. . . claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Cutcherings, Frazier & Boutwell* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *Sept* 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Caroline Shipp* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *myself, Samuel Davis, Alfred Price, Wm Price, Wm A Jones, Samuel*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin
Subscribed and sworn to before me this, the *7* day of September, 1896.

W. A. Roberts Notary Public

My Commission Expires Mar 7th / 00

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, oneson Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] J. H. BARTON, his mark. WILLIAM x PRICE.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.
INDIAN TERRITORY, 1896.
Cherokee Nation, 1896.

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory William A. Lewis, aged
seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east; that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, in Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, affi-
dant knows and believes that said Sizemore was a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee Nation about that date, and again in
the Western Cherokee Nation.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been reared and who married Catherine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Sizemore
had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

GIVEN under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires, *July 27* 1900.

Clarice
— Caroline Phelps
— Harriet
Parker and her Citi-
zens

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. James Commission;*

Your petitioner, *Caroline Phillips*, earnestly and respectfully represents that she is *one*
thirty-second Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Ned Sizemore through *his mother Anne Gates* who was a daughter of
John & Vellie Sizemore who was a daughter of
Maryann Hask who was a daughter of *Catherine Hask*, who
was a daughter of said *Ned Sizemore* who was a Cherokee
Indian in the early days.

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name *Caroline Phillips* age *thirty-seven* years
residence *Ashe Co.* in the State of *North Carolina* postoffice address *Warren*
County of *Ashe* State of *North Carolina* occupation that of a *housewife*

Attesting witnesses,

Most Respectfully Submitted,

J. H. Benton [SEAL]
J. C. Gates [SEAL]
STATE OF *North Carolina*
COUNTY OF *Ashe*

Caroline Phillips [SEAL]

Personally appeared before me, *M. C. Hask* a Justice of the Peace
in and for said county in the State aforesaid, *Caroline Phillips*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated
therein, this the *27* day of *July* 189*6*

Attesting witnesses,

Caroline Phillips [SEAL]

J. H. Benton [SEAL]
J. C. Gates [SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *27* day of
July 189*6*, and I do certify that I am personally acquainted with *Caroline Phillips*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M. C. Hask J. P.

STATE OF NORTH CAROLINA,) ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *29* day of *August*, 189*6*.

Poinexter Blevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of *Caroline Butler* To Cherokee Indian Citizenship.

AFFIDAVIT OF *Caroline Butler*

STATE OF *North Carolina*
COUNTY OF *Ashe*

On this, the *27* day of *July*, A. D. 18*96*, personally before me, *W. E. Hark*,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared *Caroline Butler*, aged *27* years, a resident of *Ashe*
county, and State of *North Carolina*, whose postoffice is *Lenoir, N.C.*, who after
being duly sworn according to law, says that she is *multiracial* Indian by *blood*, and
an heir to *Cherokee* Indian citizenship. Affiant further says on oath *that she*
removes no Cherokee land in deed from her ancestor
the date of removal is set out in her Petition
and Memorial

and is a direct descendant of the *Johnson* family whose name she believes appears
upon the census rolls that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that she believes the said *Johnson* family to be of Cherokee
Indian blood, and were members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant
of *Cherokee* Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of *Cherokee* Indian blood and that from her complexion and physical
appearance she has every reason to believe and does believe that she is of *Cherokee* Indian blood
and is an admixture of *white* and Cherokee and at least one *Cherokee* Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Witness
my hand

Caroline Butler

Subscribed and sworn to before me, this *27* day of *July*

L. G. Yates

A. D. 18*96*, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe her to be a credible person.

W. E. Hark J.P.

End

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2289

IN THE MATTER OF

the estate of

John C. Cannon, deceased

vs. Cannon, et al.

(Plaintiff's family)

Filed Sept 7-1892

J. S. McKinnon

Attorney

John C. Cannon

Executed

W. C.

AFFIDAVIT OF WITNESS.

STATE OF ...

COUNTY OF _____

Before me, the undersigned, a ... in and for the County and State aforesaid, personally appeared ... who after being by me duly sworn stated that he is ... years of age, and a citizen of ... County, and State of ... and that he is personally acquainted with ... who is an applicant for citizenship in the ... Nation, I. T., and affirm further states that the said ... is the identical person he represents self to be in his application for citizenship in said Nation, and that the said ...

[illegible]

Affiant further states that [redacted] has been in the said [redacted] for the past 45 years and knows that [redacted] is recognized and treated by the neighbors, acquaintances and the public generally as a [redacted] Indian [redacted] In fact, [redacted] and that the complexion, physical appearance, language and manners of the said [redacted] indicate that the said [redacted] is of Indian blood. From the facts and circumstances and from statements made to [redacted] by the said [redacted], [redacted] and states, [redacted] has every reason to believe and does believe that the said [redacted] is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said James H. [redacted] to citizenship in the United States Nation, I. T., and that he is not related by blood or marriage to the said James H. [redacted].

Attest, James H. [redacted]

Some of the above mentioned in this "Legal Digest" A.D. 1896, and I further certify that I am acquainted with the said James L. Davis and know him to be a person of good character and of truth and veracity.

My contract expires on the _____ day of _____, 20____.

STATE OF NORTH CAROLINA, 1898
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this 11 day of October, 1896.

Clerk Superior Court.

Nation's No.
Commission's No.
In re Application of

M. H. ...

Demurrer and ²⁰Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners

In the matter of application of

John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *10th* day of *April*, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
CHEROKEE NATION.

I, J. N. BALDWIN, do solemnly swear that on the Fifth day of September, 1896, I, in person,
delivered to WM. HASTINGS, FRANK J. BOLLING and WM. T. HUNTER, Attorneys for the
Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of
Wm. H. H. H. of the Cherokee Nation, Ind. Ter.,

and the same was duly received by said attorneys, to wit: *Wm. H. H. H.*

IT IS MY DUTY TO SAY THAT THE COPIES OF WHICH ARE NOW FILED WITH THE DAVES COMMISSION,
at Tahlequah, Ind. Ter., are true and correct copies of the original.

Subscribed and sworn to before me this *10th* day of *September*, 1896.
Wm. H. H. H. Public

My commission expires on the 10th day of 1896.

Harriet
William & Philip
to Harriet

Charles & John
Chapman

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Senate and House of Representatives

Your petitioner, William W. Phillips, earnestly and respectfully represents that he is free
Sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore through his mother Ruth Phillips, who was a
daughter of Margery Hark, who was a daughter of Catharine
Hark, who was a daughter of the said Ned Sizemore
who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is William W. Phillips 1875 years.
residence Cherokee, Ga. in the State of Georgia postoffice address Rugby
County of Cherokee State of Georgia occupation that of a farmer

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]
[SEAL]

Wm. W. Phillips [SEAL]

STATE OF North Carolina) ss.
COUNTY OF Ashe

Personally appeared before me, M. C. Gask a Justice of the Peace
in and for said county in the State aforesaid, William W. Phillips the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the 27 day of July 1896.

Attesting witnesses,

Wm. W. Phillips [SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of
July 1896, and I do certify that I am personally acquainted with William W. Phillips
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage

Wm. W. Phillips

STATE OF NORTH CAROLINA,) ss.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
William W. Phillips, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 27 day of July, 1896.

.....
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by (Clerk of Court under seal of Court.)

State of North Carolina,) ss:
County of Ashe,)

Subscribed and sworn to before me this 10th day of August, 1896,
and I certify that the contents of the foregoing affidavit were fully
read over to the deponent, and he acknowledged, swearing, and that said Alfred Price
is a person of good name and repute.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, 1896.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Western enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been a son of Ned Sizemore and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

Wm A Lewis [SEAL]
J. H. Hibbils, Notary Public.
My commission expires *Mar 7 1900*

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No 2291

IN THE MATTER OF

IN SENATE

REPORT

To Hughes, V.C.

Filed Sept 7-1894

A S McKinnon

(Bignone family)

John Bignone

James Bignone

H.C.

doi:10.1017/S0022292412001607 Printed in the United Kingdom

and that the said William Lee for the past 34 years
has been well known and located by his neighbors, acquaintances and the people
of the said County of ... State of ... and that the complexion, physical appearance,
and the features of the said William Lee lead to the fact that the said William Lee
is a person of African race and that the facts are true and correct and from statements made to him by the said
... and that the said William Lee states in his own person to be and does believe that the said
... Indian blood,
... states that he has no interest whatever in the prosecution of the claim of the said
... to citizenship in the ... Nation, I. T., and that he is not
... or marriage to the said

Jimmie Ewing

I, James M. Davis, of the County of Franklin, State of Ohio, do hereby certify that James M. Davis is the owner of the above described premises, and I further certify that James M. Davis is a person of good character and capacity.

10. *THEOREM 1.1* (H. COHEN, 1976). *Let \mathcal{A} be a finite set of primes. Then the set of integers n such that n is not divisible by any prime in \mathcal{A} has a positive density.*

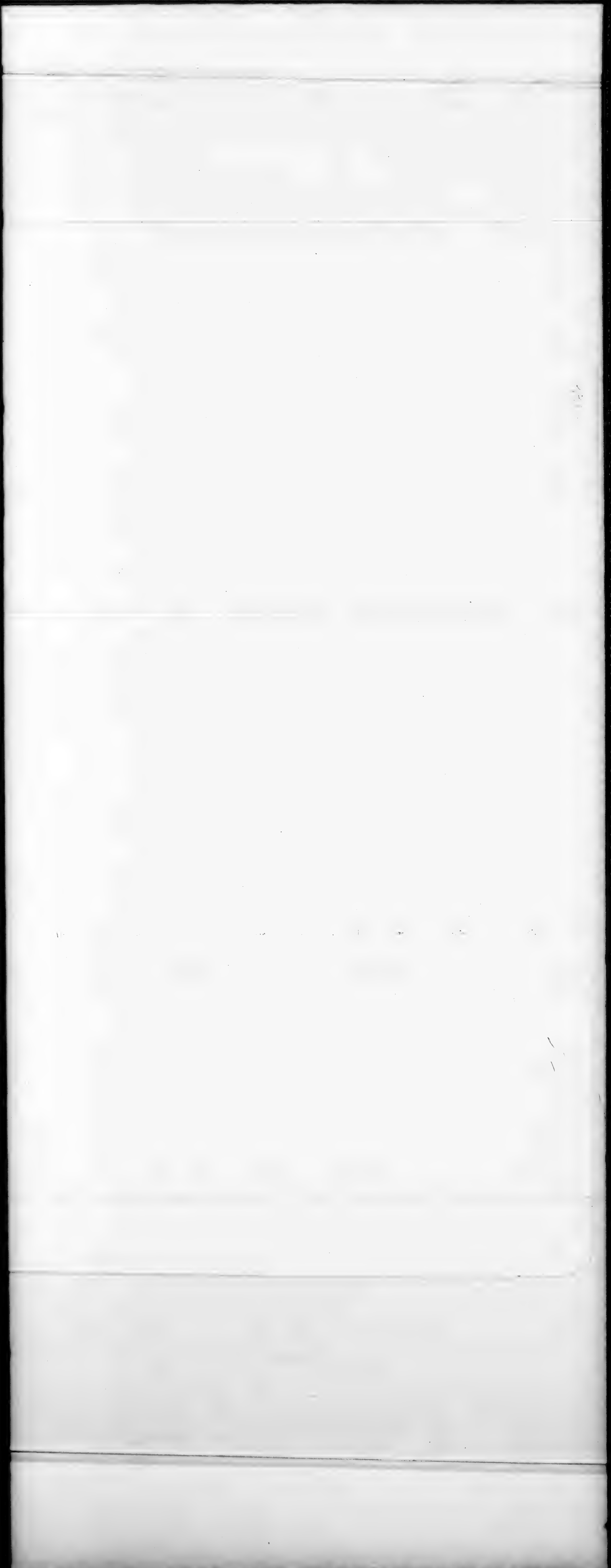
1-10

STATE OF NORTH CAROLINA,) ss.
 JOHN COUNTY.

I, FORRESTER BLEVINS, Clerk of the Superior Court of said county, do certify that _____, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 22 day of February, 1906.

Clerk Superior Court.

End



SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Julia Pennington* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Wm. Price, Alfred Price, Wm. H. Lewis, J. H. Baldwin*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That said affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

W. H. Roberts Notary Public

My Commission Expires Dec 7+1/2

Nation's No. 1084.
Commission's No
In re Application of

Julius J.

Demurrer and Answer.

20

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
John L. Adair, Cherokee Nation.

Nation's No. 1084.
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that:

through whom the petitioner claims to derive their right
to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair*, Attorney.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

day of

1896.

NOTARY PUBLIC.

Copy of
Julia Spinnington

PETITION AND MEMORIAL, FOR CHEROKEE INDIAN CITIZENSHIP.

TO THE SENATE AND HOUSE OF REPRESENTATIVES

Your petitioner, Julia Pennington, earnestly and respectfully represents that she is the

1/16 Cherokee Indian by blood, deriving the same from her lineal ancestor, the Redd Sigeon, through her mother Sarah Brown who was a daughter of Susan Stamper who was a daughter of Elizabeth Stamper who was a daughter of Chen Sigeon who was an Indian of Redd Sigeon a full blood Cherokee Indian.

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for its investigation and if the same is found to be valid and correct as herein stated, that she be granted all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Julia Pennington, age 35 years, residence Salisbury in the State of N.C. postoffice address Siles Creek County of Ashe State of N.C. occupation housewife

I have wife & have 3 children to wit
Charley age 12 years Sula age 10 years Haggie age 10 years

Attesting witnesses,

Most Respectfully Submitted,

J. M. Haldiman [SEAL]

Julia Pennington
mar 14

STATE OF North Carolina

COUNTY OF Ashe

Personally appeared before me J. M. Haldiman Justice of the Peace in and for said county in the State aforesaid Julia Pennington the petitioner in the

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after duly sworn according to law states that the facts set forth in her said petition above are true to the best of her knowledge and belief.

this the 18 day of August 1896

Attesting witnesses,

Julia Pennington
mar 14

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on the 18 day of Aug 1896, and I do certify that I am personally acquainted with

the said petitioner, and know that she is a credible person and entitled to full faith and credit before the Courts of the State of N.C. and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

J. M. Haldiman

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, POINDEXTER BEVINS, Clerk of the Superior Court of said county, do certify that

J. M. Haldiman Esq., whose name is signed to the foregoing certificate, was at the time of signing a

Justice of the Peace in and for said county and State, duly commissioned and sworn, that all the facts and circumstances

are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of

said Court, this 17 day of August 1896.

P. P. Bevins
Clerk Superior Court

STATE OF NORTH CAROLINA,
County of Ashe ss.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claims of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my
Attest
J. H. BARTON.

[Signed] WILLIAM PRICE

Sworn to and subscribed before me this 14th day of August, A. D. 1860, and I further certify that I am well acquainted with the said William Price, and know him to be a person of truth and credit.

Given under my hand this day and date first above written.

[Signed] _____ A. C. Evans, J. P.

 Town Clerk

The foregoing is a copy of an affidavit filed with the Payee Commission in the claim of Corcoran Park for citizens of the Republic of New Nation, I. T.

Official character and nonpartisanship of the Clerk of Court and the Clerk of Court's Office.

State of North Carolina,
County of Ashe,

All data were collected from the same study area and observa-

ALPHO A PRICE.

and I am glad to hear that you are well known to all our friends here. ALPHO A PRICE is a brother of the Alphas of the world.

University of Illinois, Urbana, Illinois 61801-3001, U.S.A.
 E-mail: shen@uiuc.edu (L. Shen), jhp@uiuc.edu (J. P. Hirth)

The following is a copy of a letter received from the Hon. Dawes Commissioner of the Bureau of Indian Affairs, Department of the Interior, at Nashville, Tenn., dated the 10th day of January, 1891:

Officialdom, not the law, is the cause of injustice, certified by Clerk of court, _____

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C.; that said Sizemore had a daughter Lyddia who married James Dievins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.
INDIAN TERRITORY.
Cherokee Nation, I. T.

On the 2nd day of September, A. D. 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory William A. Lewis, aged
seventy-nine years, whose residence address is Ft. Gibson, Cherokee
Nation, I. T., who after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, affi-
dant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee Nation on or about that date, and again in
the Western Cherokee.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been one's brother and who married Catherine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Sizemore
had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina, and from the best of his information he believes
that said Ned Sizemore after wards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires *Mar 7 1900*, Notary Public.

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Biddum, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Perd, in said County, and that he is personally acquainted with Julia Pennington, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Julia Pennington is the identical person he represents her self to be in a 12 application for citizenship in said Nation, and that he has known the said applicant for the past 16 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Biddum day of September, A. D., 1896.

M. A. Nichols, Notary Public.
My Commission expires, March 7, 1900.

#2141

IN THE MATTER OF

Julia Spinglin
vs
Charles

vs
Po. Sec. cum n.s.

James Spinglin,
Filed Sept 17/89
Attest
John C. Spinglin
S. M. H. H. H.

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina*

COUNTY OF *Ashe*

Before me, the undersigned authority, in and for the County and State aforesaid, personally appeared *Alfred H. Price*, who after being by me duly sworn state that he is *36* years of age, and a citizen of *North Carolina* County, and State of *North Carolina*, and that he is personally acquainted with *John H. Price*, who is an applicant for citizenship in the *United States* Nation, I. T., and affiant further states that the said *John H. Price* is the identical person he represents in self in his application for citizenship in said Nation, and that the said *John H. Price* is of *Indian* blood.

Affiant further states that he has known the said *John H. Price* for the past *10* years, and knows that he is of *Indian* blood, and that the complexion, physical appearance, and manner of the said *John H. Price* are such as to convince him that the said *John H. Price* is of *Indian* blood. That from the above facts and circumstances and from statements made to him by the said *John H. Price*, affiant states and believes to be true and does believe that the said *John H. Price* is of *Indian* blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *John H. Price* to citizenship in the *United States* Nation, I. T., and that he is not related by blood or marriage to the said *John H. Price*.

Attest

Alfred H. Price
Mark

Subscribed and sworn to before me this *14* day of *August* A. D. 1896, and I further certify that I am acquainted with the said *Alfred H. Price*, and know him to be a person of credibility and of truth and veracity.

My commission expires on the *1* day of *August* 1896

L. Hurley, Jr.
1896

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *Alfred H. Price*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *14* day of *August*, 1896

P. D. Blevins
Clerk Superior Court.

End



1871

1872

[illegible]

[Faint handwritten text, possibly a signature or date]

[Faint handwritten text, likely the body of a letter or certificate]

STATE OF NORTH CAROLINA) ss.
ASHE COUNTY,)

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *L. Hurley* Esq, whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn: that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12* day of *Dec*, 189*6*.

[Signature]
Clerk Superior Court

Nation's No.
Commission's No.
In re Application of

Demurrer and Answer.
26

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the applicant has not stated facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiting his answer and demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation or Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By John L. Adair, Executive Secretary, Cherokee Nation Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

day of

1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, Ind. Ter., a paper which contained a true copy of the application of *James P. ...* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *James P. ...*
James P. ...

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *7* day of September, 1896.

W. A. Roberts Notary Public
My Commission Expires Mar. 7 1900.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. James Commission

Your petitioner, Cornelia Peak, humbly and respectfully represents that she is one

eightth Cherokee Indian blood, deriving the same from her lineal ancestor, the late Ned. Sizemore, through her father George Hart, who was a son of Catharine Hart. She was a daughter of said Ned Sizemore who was a Cherokee Indian of the full blood.

Your petitioner, Cornelia Peak, states that she is a full statement of facts as grounds for her application for citizenship in the Cherokee Nation and asks for a full and complete investigation of her claim at the same time and, as herein stated, that she be allowed all the rights of citizens and privileges of the Cherokee Nation.

Petitioner's name, Cornelia Peak, age seventy-four years, residence Grayson Co., Virginia, postoffice address Stanley, North Carolina, occupation that of a housewife.

Attesting witness,

R. M. Jones

Jess. J. Lohel

STATE of North Carolina

COUNTY of Ashe

Respectfully Submitted,

Cornelia Peak [SEAL]

Persons appearing before me, R. M. Jones, Justice of the Peace, and Jess. J. Lohel, the petitioner in the above petition for Cherokee Indian citizenship, in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn and interrogated, have stated that the facts set forth in the said petition above are true as stated therein, this the 27 day of July 1906.

Attesting witnesses,

R. M. Jones

Jess. J. Lohel

SEAL

SEAL

Subscribed and sworn to before me, Justice of the Peace, as aforesaid, on this 27 day of July 1906, and I do certify that the person named with Cornelia Peak the said petitioner, and know that I am a Justice of the Peace and entitled to full faith and credit before any of the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

M. C. Lohel J. P.

STATE OF NORTH CAROLINA,
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that R. M. Jones, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 27 day of July 1906.

P. Blevins
Clerk Superior Court.

Clamie

7. Comelia Seal
Clamie

Charles Indian etc.
Lush.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

of *Cornelia Peak* To Cherokee Indian Citizenship

AFFIDAVIT OF *James M. Smith*

STATE OF *North Carolina*
COUNTY OF *Salisbury*

On this, the *27* day of *July*, A. D. 189*6*, personally before me, *W. C. Smith*, a Justice of the Peace in and for the county aforesaid, duly sworn and qualified, appeared *Cornelia Peak*, aged *74* years, a resident of *Fraser* county, and State of *Virginia*, who, after being duly sworn, according to law, says that she is *one eighth* Indian blood and a claimant for *Cherokee* Indian citizenship. Affiant further says that *that she derives her Indian blood from her ancestor the late Ned Sizemore, a full blood Cherokee Indian as set forth in her petition*

and is a direct lineal descendant of the *Sizemore* family, whose name is on the rolls of the Cherokee Indians. Affiant further says that she derives this *Sizemore* Indian blood, and was members of the *Cherokee* tribe of Indians.

Affiant further says she has been taught and has learned from her ancestors that she is a *Cherokee* Indian family and that affiant has been recognized and treated by the public generally as a person of *Cherokee* Indian blood, and that from her own knowledge and appearance she has every reason to believe and does to give that she is a *Cherokee* Indian and is an admixture of *white* and Cherokee blood at least one *eighth*.

Affiant further says the above statements are true to the best of her knowledge and belief.

Attest:
R. M. Lane
Jesse B. Ladd

Subscribed and sworn to before me, this *27* day of *July*, A. D. 189*6*, and I further certify that the foregoing affiant was personally known to me in my presence. That said affiant is to me personally known and has been and is now personally identified before me, and I verily believe her to be a true person.

W. C. Smith 17

Spilargis

Worm Pine

[illegible]

... of the ...
...; but ...
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...

Appeared ...
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...
...
...

August 11, 1896
William H. Hill
Clerk

1896

...
...
...
...
...
...
...

M. C. Hosh

STATE OF NORTH CAROLINA
ASHE COUNTY.

POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ...
... Esq., whose name is signed to the foregoing certificate was at the time of so doing ...
... of the Peace in and for said county and State, duly commissioned and sworn that all his official acts ...
... entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal ...
... Court, this 12th day of August, 1896.

D. P. Blevins
Clerk Superior Court.

Epistolae

1661

[illegible]

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the ...
and in reply to inform you that said ...
has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Your obedient servant,
[Signature]

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the ...
and in reply to inform you that said ...
has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Your obedient servant,
[Signature]

And Sir James's at a meeting to the following
in the George's Station, N.C.
Given under my hand this 11th day
of August, A.D. 1890.

I am to say to the following
10th day of August, 1890, and
with said James's at a meeting to the following
with said James's at a meeting to the following
with said James's at a meeting to the following

STATE OF NORTH CAROLINA
ASHE COUNTY

JOHN B. BEEVINS, Clerk of the Superior Court of said County, do hereby certify that

James's at a meeting to the following
with said James's at a meeting to the following
with said James's at a meeting to the following
with said James's at a meeting to the following
with said James's at a meeting to the following

Clerk Superior Court.

Received of _____

the sum of _____

for _____

Affidavit of Witness.

INDIAN TERRITORY
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared *J. H. Baxter*, who after being by me duly sworn states that he is *fifty five* years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is *Chocoma, N. C.*, in said County, and that he is personally acquainted with *Cornelia Peak*, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said *Cornelia Peak* is the identical person he represents *himself* to be in *her* application for citizenship in said Nation, and that he has known the said applicant for the past *12* years, and knows that *she* is and has been recognized and treated by *her* neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that *she* is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states *he* has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this *1st* day of September, A. D. 1896.

J. H. Baxter, Notary Public.
My Commission Expires, March 7, 1900.

#2193

V

IN THE MATTER OF

Claim to Citizenship in

...

Do hereby certify that

(Signature family)
Filed Sep 8th 1896
A. M. Hanna
of the Bureau
Silas ...
1896

AFFIDAVIT OF WITNESS.

State of)
County of) ss.

Before me, the undersigned, a _____ in and for the County and State of _____
aforesaid, personally appeared _____ who after being by me duly sworn states
that _____ is _____ years of age, and a citizen of _____ County, and State of _____
and that _____ is personally acquainted with _____ who is an applicant for
citizenship in the _____ Nation, I. T., and affiant further states that the said
_____ is the identical person who represents _____ self to be in his application for citizenship
in said Nation, and that the said _____

Affiant further states that _____ has known the said _____ for the past _____ years
and knows that _____ has been recognized and treated by his neighbors, acquaintances and the public
generally as a person of _____ Indian blood, and that the complexion, physical appearance,
language and manners of the said _____ indicate that the said
_____ is of Indian blood. From the above facts and circumstances and from statements made to him by the said
affiant states he has every reason to believe, and does believe that the said
_____ is of _____ Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said
_____ to citizenship in the _____ Nation, I. T., and that he is not related
by blood or marriage to the said _____

Subscribed and sworn to before me this _____ day of _____ A. D., 189____, and I further cer-
tify that I am well acquainted with the said _____ and know him to be a
person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 189____.

STATE OF NORTH CAROLINA,)
ASHE COUNTY,) ss.

I, POINDEXTER BIRVING, Clerk of the Superior Court of said county, do certify that _____
Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn: that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this _____ day of _____, 1896.

Clerk Superior Court

End



Catherine Thompson, et al.

Demurrer and Answer.

FILED SEPT 20 1896. E.

→ A C I F E M O N E

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKannon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Catherine Thompson, et al.

Nation's No. 1035.

Commissioner's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Ned Sizemore

through whom the petitioner claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Bondiloi.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

12th day of

1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Catharine Thompson* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Rice, Wm. Rice, Wm. A. Lewis, Wm. A. Lewis, Wm. A. Lewis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *1* day of September, 1896.

J. N. Baldwin
Notary Public

my Commission Expires Mar 4th 1900

FOR CHEROKEE INDIAN CITIZENSHIP.

Your petitioner,, earnestly and respectfully represents that she is

...line, through ...

the

... ..

[Faint handwritten notes at the bottom of the page]

11. 11. 1911

Petitioner's full name is Colleen Y. Jones; age 25 years.

residence in the State of postoffice address.....

County of San Diego State of California occupation that of a Police Officer

... years ...

1000

Most Respectfully Submitted,

.....[SEAL.] }

.....[SEAL.])

STATE OF }
ca.

COUNTY OF

Personally appeared before me, James H. Hester, a Notary Public

in and for said county in the State aforesaid, Charles H. Smith, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being

subscribed and sworn to before me this 15th day of June 1896.

Attesting witnesses, _____

[SEAL]

[SEAL]

Subscribed and sworn to before me, a *Justice of the Peace* as aforesaid, on this *15* day of

John 1894, and I do certify that I am personally acquainted with *William Thompson*

the _____, and know that he is a credible person and entitled to full faith and credit before any of the _____

... said claim for Cherokee Indian citizenship and ancestry related to her by blood or marriage.

STATE OF NORTH CAROLINA, { ss.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that

....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a

Justice of the Peace in and for said county and State, duly commissioned and sworn ; that all his official acts

are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of

Said Court, this 14. day of August 1896.

.....
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, ss.
Cherokee Nation, ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, *Mar 7 1900*

W. A. Lewis [SEAL]

W. A. Lewis, Notary Public.

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Register

NO 2298

IN THE MATTER OF

John W. Wood
Claim to Citizenship in
Nation, I. T.

To Wood N.C.

Birmore family,)

Filed Sept 8-1892

A S McKeown
Clerk

John Baldwin
Silas Crook

MC

AFFIDAVIT OF WITNESS.

STATE OF }
COUNTY OF } ss.

Before me, the undersigned, a in and for the County and State
aforesaid, personally appeared who after being by me duly sworn states
that he is years of age, and a citizen of County, and State of
and that he is personally acquainted with who is an applicant for citizenship
in the Nation, I. T., and affiant further states that the said
is the identical person he represents self to be in his application for citizenship in said Nation, and
that the said is

Affiant further states that he has known the said for the past years
and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public
generally, as a person having Indian blood; and that the complexion, physical appearance,
language and manners of the said indicate that the said
is of Indian blood. That from the above facts and circumstances and from statements made to him by the said
..... affiant states he has every reason to believe and does believe that the said
..... is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said
..... to citizenship in the Nation, I. T., and that he is not
related by blood or marriage to the said
Attest,

Subscribed and sworn to before me, this day of A. D., 189..., and I further cer-
tify that I am well acquainted with the said and know him to be a per-
son of credibility and of truth and veracity.

My commission expires on the day of 189...

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
....., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 14. day of August 1896.

.....
Clerk Superior Court.

End



SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Levanah Thompson* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Alfred Price, Wm Price, Sam'l Louis, Wm A. Lewis & Wm*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the

J. N. Baldwin
7 day of September, 1896.

W. H. Boulets Notary Public

my Commission Expires Mar 7th 1900

of the Peace is above said on the 18 day of Aug 1876
and I do hereby that I am personally acquainted
with Leannah Thompson the said petitioner and
know that she is a credible person and
entitled to full faith and credit before any
of the Courts of the State of N.C. and that
I have no interest directly or indirectly in the
prosecution of her said claim for shares in
Juditha... City... and am not related to
her by blood or marriage

D W Frost, Jr

Leannah Thompson
Claim

Petition and Memorial

35

for Cherokee Indian citizenship

to the Hon. Secy. Commissioner
your petitioner Levaniah Thompson it is shown and
she believes she is one thirty second Cherokee Indian
by blood deriving the same from direct ancestor
the late Ned Sizemore through her father Eli Hurt
who is a son of Wash Hurt who is a son of Catherine
Hurt who is a daughter of Ned Sizemore who was
a full blood Cherokee Indian your petitioner
therefore submits to your Honorable Body the above
statement of facts as grounds for her application
for Cherokee Indian citizenship as aforesaid
in the Cherokee Nation and ask for full and
complete investigation of her claim and
if the same is found to be valid and correct
is herein stated that she be allowed ~~the~~ rights
all the rights privileges and immunities of
other citizens of said Nation ~~and~~

Petitioner full name Levaniah Thompson age 34 years
Residence Ashe Co in the State of N.C. postoffice
address Nash County of the State of N.C.
Occupation that of Horse-keeper

Attest

Most Respectfully Submitted

Levaniah Thompson and
Seal

State of North Carolina
County of Ashe

Personally appeared before me E. M. Hart
Justice of the Peace in and for said County in the
State of North Carolina Levaniah Thompson the petitioner in
the above petition for Cherokee Indian citizenship
in the Cherokee Nation Indian Territory as a
who after being duly sworn according to law that
she states that the facts set forth in her said petition
above are true as stated therein this the 15 day
Aug. 1896
Attest

E. M. Hart, J.P.

STATE OF NORTH CAROLINA, }
Ashe County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ...
Hurt, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 19th day of August, 1896.

P. Blevins
Clerk Superior Court

... before me a justice
of the Peace as afore said on the 13 Day of Aug 1880
and I do certify that I am personally acquainted
with Lavinia Thompson the said petitioner and
know that she is a credible person and
entitled to full faith and credit before any
of the Courts of the State of Vt. and that
I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee
Indian citizenship and am not related to
her by blood or marriage

J. M. Hart, J.

Lavinia Thompson
claim

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

1

C. and W. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Edw. George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe, } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and one James Blevins had several sons and daughters from whom have descended Lyddia Blevins had several sons and daughters from whom have descended numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, [Signed] WILLIAM x PRICE.
his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY,)
Cherokee Nation.) ss.

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory William A. Lewis, aged
seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, and Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, affi-
ant knows him to have been a Cherokee Indian by blood and of
the red blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been so enrolled and who married Catharine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Siz-
more had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina, and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and in playmates and associates.

Witness my hand and seal this the day and date first above

written.

Subscribed and sworn to before me this the 2nd day of Sept.,
1896.

My commission expires, Mar 7th 1900.

Wm A Lewis [SEAL]

W A Dibbels Notary Public.

~~702287~~ 1117

Reynolds

Received of the
to the Indian
Po. Waver, N.C.

(Pigeon family)

Sept 7-1896

A.S. McKinnon

John Baldwin

Lucas W. W.

N.C.

Indicate the date when this is true

STATE OF NORTH CAROLINA
ASHES COUNTY

JOHN P. BENTLEY, Clerk of the Superior Court of said County, do certify that
..... was at the time of so doing
Justice of the Peace, and that he is duly commissioned and sworn that all his official acts
are entitled to the same credit and validity as if they were signed by him. Witness my hand and seal
said Court this day of 19.....

JOHN P. BENTLEY
Clerk Superior Court

2092
Po. 1. 1. 1.
John P. Bentley
John P. Bentley
John P. Bentley

Nation's No. JC54.

Commission's No

In re Application of

James J. [illegible], et al.

Demurrer and Answer.

20-

Nation's No. 1001.

Commission's No. _____

1st. That the Nation comes now and demurs the.

2nd. That the subject matter of this controversy,

3rd. That the applicants are

4th. That the applicants are

5th. That the applicants are

6th. That the applicants are

7th. That the applicants are

8th. That the applicants are

9th. That the applicants are

10th. That the applicants are

11th. That the applicants are

12th. That the applicants are

13th. That the applicants are

14th. That the applicants are

15th. That the applicants are

16th. That the applicants are

17th. That the applicants are

18th. That the applicants are

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nations, and claim to derive their right
 to the same from the Cherokee Nation, since
 the same is claimed and claimed; that his name
 is not in the list of any of his ancestors now
 living, and that he is not of the same blood.

H. MAYES, Principal Chief Cherokee Nation.

Attorneys,

Nathaniel has been first duly sworn, states that the

most of his knowledge and belief,

1896.

NOTARY PUBLIC.

End



Nation's No.

Commissioner's No.

In re Application of

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of Application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the following reasons:

1st. That this Commission has not jurisdiction of the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
is entitled to citizenship.

Respondent not wishing to quarrel in a manner, but insisting upon the same for answer to said appli-
cation, says that

through whom the petitioner claims to derive his right
to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By _____ Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, _____ day of _____, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Samuel Davis* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of

Samuel Davis, wife of Davis,

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the

day of September, 1896.

J. N. Baldwin
Notary Public

My Commission expires 12/1/00

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FOR CHEROKEE INDIAN CITIZENSHIP.

Cherokoe Indian by blood, der King the same from his great ancestor, the late
through

For the purpose of the present study, the data were analyzed using the following steps:

1. The purpose of these proceedings is to determine whether the above statement of facts as presented herein is correct and, if so, whether the effect of such statement is to deprive the Cherokee Nation and tribes of a full and complete right to their lands and to the same in fee simple, and whether the same are subject to common stated, that "the b... of the right to the same and to the same of said lands."

[Faint handwritten notes at bottom of page]

West. Department of Agriculture, 1900.

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Caroline Hart

Journal of Management Education 30(6)

and the Clerk of the Court in the County of Newton, Indian Territory, U. S. A. who after being
sworn according to law states that the facts set forth in the said petition above are true as stated
therein, this the _____ day of _____ 1907 *James H. Hart*

Testing witnesses

Sub
H. 3

I am now working before me, a jurat, at which I have sworn, this 17 day of July 1896, and I do certify that I am personally acquainted with Mrs. Mary Ann Jones, and know that she is a credible person and entitled to full faith and credit as every citizen of the State of Mississippi; and that I have no interest direct or indirect in the proposed application for Cherokee Indian citizenship and related to her, except in my capacity

H. R. Menillon

STATE OF NORTH CAROLINA, }
ASHE COUNTY, }

J. POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *Wm. H. Blevins*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *17* day of *November*, 1896. *W. H. Blevins*

P. D. Lewis
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about thirty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee Nation in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

County Va. state line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has an interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1898.

[Signed] SAMUEL DAVIS.

I, Samuel Davis, do hereby certify that on this 10th day of August, A. D. 1898, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HAAS, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

(Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

STATE OF NORTH CAROLINA, ss.
County of Ashe

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the client or the descendants of Ned Sizemore to compensate him at the Cherokee Nation, I. T.

Sworn to and subscribed before me this 11th day of August, A. D. 1886, and I further certify that a true and correct copy of the within recited and subscribed petition has been deposited in my office and recorded.

Official character and correctness of signature and Justice certified by
Clerk of Court under seal of Court.

State of North Carolina,)
County of Ashe,) ss:

[Signed] ^{his} ALFRED x PRICE
mark.

Given under my hand this day and date first above written.
[Signed] L. HURLY, J. P.

Official character and genuineness of signature of Justice certified by
(Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.

INDIAN TERRITORY,) ss.
Cherokee Nation.)

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis

[SEAL]

W. A. Lewis

Notary Public.

Mar 27 1900

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IN THE MATTER OF

John O. O'Leary

John O. O'Leary, Plaintiff, vs. The State of New York, Defendant.

(Begins more family)

Filed Sept 7-1892

J. S. McKimmon

John O'Leary
Lear O'Leary
N.Y.

AFFIDAVIT OF WITNESS.

State of *Virginia*
County of *Shenandoah*

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Samuel Hart* who after being by me duly sworn states that *he* is *77* years of age, and a citizen of *Shenandoah* County, and State of *Virginia* and that *he* is personally acquainted with *Samuel Hart* who is an applicant for citizenship in the *United States* Nation, I. T., and affiant further states that the said *Hart* is the identical person *he* represents *himself* to be in his application for citizenship in said Nation, and that the said

Affiant further states that *he* has known the said *Hart* for the past *20* years and knows that *he* is said *to be* recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Indian* blood, and that the complexion, physical appearance, language and manners of the said *Hart* indicate that the said *Hart* is of Indian blood. That from the above facts and circumstances and from statements made to *he* by the said *Hart*, affiant states *he* has every reason to believe, and does believe that the said *Hart* is of *Indian* Indian blood.

Affiant further states that *he* has no interest whatever in the prosecution of the claim of the said *Hart* to citizenship in the *United States* Nation, I. T., and that *he* is not related by blood or marriage to the said

Subscribed and sworn to before me this *17th* day of *August*, A. D. 189*6*, and I further certify that I am well acquainted with the said *Hart* and know *him* to be a person of credibility and of truth and veracity.

My commission expires on the *17th* day of *August*, 189*6*.

STATE OF NORTH CAROLINA. } ss.
Ashe County,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *Samuel Hart*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *17th* day of *August*, 1896

P. Blevins
Clerk Superior Court.

End



Nation's No.
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
John L. Adams

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the following grounds the most salutary:

- 1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no right to hear and determine the same.
- 2nd. That the petitioner does not state facts sufficient, in truth, to show that the applicant
entitled to citizenship.

Respondent, not denying his aforesaid demurral, but insisting upon the same for answer to said applica-
tion, says that

through whom the petitioner claim to derive citizenship, right
to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation since
the removal of said Nation west to the Indian Territory as at present located and defined; that his name
does not appear in any of the official records of said Nation; that neither he nor any of his ancestors ever
reside, or ever been, in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By

Attorney

John L. Adams, Executive Secretary Cherokee Nation, having been first duly sworn, states to these
matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

day of

190

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

J. N. BALDWIN, of the County of Cherokee, State of Georgia, on the Fourth day of September, 1896, A. D., in person,
delivered to W. M. HASTEN, J. H. HANKS, J. H. DINGEL and W. M. T. HUTCHINGS, Attorneys for the
Cherokee Nation, at the place of delivery, a package which contained a true copy of the application of
John H. Hanks for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel E. Davis, Alfred Price, Wm. H. Price, L. H. Davis, J. H. Baldwin and Wm. H. Davis*

in support of said application, which are now held with the Honorable JAMES COMMISSION,
at Vinita, Okla. Ter. This return has no interest in this matter.

Subscribed and sworn to before me this, the

4th day of September, 1896.

M. H. Bishop Notary Public

My Commission expires March 7, 1897.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To The Hon. - James Conn

Your petitioner, *Wm Dolinger* it is *proven & believed* earnestly and respectfully represents that he is *Eighty* Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

Ned Sigman through his mother *Elizabeth Dolinger* who was a daughter of *Benjamin Caldwell* a daughter of *Benjamin Hart* a daughter of *Ned Sigman* a full blood Cherokee Indian

Your petitioner therefore, submits to your honorably body the above statement of facts as grounds for his application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Wm Dolinger* age *Eighty Six* years, residence *Johnson* in the State of *Tenn* postoffice address *Silva Lake* County of *Johnson* State of *Tenn* occupation that of a *Farmer* I am married and have six children to wit: *Gillie age 16 Charles age 14 John age 12 Fidelity age 8 Charity age 4 Molly age 4.*

Attesting witnesses,

Wm J. Baldwin [SEAL]

Most Respectfully Submitted,

Wm Dolinger [SEAL]

STATE OF *Tenn* COUNTY OF *Johnson*

Personally appeared before me, *D M Hart* a Justice of the Peace in and for said county in the State aforesaid *William Dolinger* the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the *17* day of *Aug* 1896

Attesting witnesses,

D M Hart J.P. [SEAL]

Subscribed and sworn to before me, a Justice as aforesaid, on this *17* day of *Aug* 1896, and I do certify that I am personally acquainted with *William Dolinger* the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of *Tenn* and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

D M Hart J.P.

STATE OF NORTH CAROLINA ASHE COUNTY.

PoinDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *Wm Dolinger* Esq. whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *17* day of *Aug* 1896

P D Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose ~~present~~ address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State of North Carolina, personally appeared Alfred Price, aged 76 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Waverlyford, N. C., who, after being duly sworn, stated that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore's daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia, who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore, married one James Hart, and had numerous sons and daughters, among whom were Catharine, who married one Baldwin, and subsequently married one Caldwell, and Margery, who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line; Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian, from the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON, [Signed] his
WILLIAM X PRICE,
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HAYN, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State of North Carolina, Alfred Price, aged 76 years, whose postoffice address is Waverlyford, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; that said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED X PRICE,
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

1. *Phragmites* (common)

George W. Allen, of the States of Georgia, Alexander H. Allen, of the State of Texas, and John W. Allen, of the State of California, who are the children of Ned Sizemore, a white man of the Cherokee Nation, and a white woman of the State of North Carolina, do hereby certify that said Ned Sizemore, a white man, was born by name of Owen and also another name of the name of George W. Allen further states that said Ned Sizemore and his family, with migration of the Cherokees to the Indian Territory, remained in the State of Georgia and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ash County, North Carolina.

Given under my hand and seal this _____ day and date first above written.

My commission expires 2/1/24 1920.

My commission expires 11237 1902.

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

I, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. B. Sullivan, who after being by me duly sworn, states that he is 36 years of age, and a resident of Ashe County, and that he is a white man, and that he is married with W. H. Sullivan, who is an Indian, and that he is the Cherokee Nation, I. T. and affiant further states that the said J. B. Sullivan is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the last 15 years and knows that he is and has been recognized and treated by the people in the public generally, as a person having Cherokee blood; and that he is of the complexion, physical appearance, language and manners of the said applicant in- dicating that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 1st day of September, A. D., 1896.

My Commission Expires, March 7, 1900.

Notary Public.

2167

Thos. J. ...
... ..

To Cherokee Indian
Citizenship

P. S.

... ..

Filed Sept 17/86
at the ...
Court

... ..
Silas ...
... ..

AFFIDAVIT OF WITNESS.

Portularia

1997-1998 72 100

_____ and for the County and State aforesaid, personally appeared
Heidi Blum _____ who after being by me duly sworn states that

65 years of age, and a citizen of the State of Ashe County and State of North Carolina. He is usually acquainted with William Delinger who is a citizen of the Cherokee Nation, I. T., and affiant further states that William Delinger is the identical person he represents his Nation for citizenship in said Nation, and that the said

He was a son of Elisabeth Dolinger
who was a daughter of Lutheran Colonel a Daughter
of a son of a daughter of Ned Symore
The second brother Indian

affiant further states that he has known the said William Doolinger for the past 50 years and knows that he is, and has been recognized and treated by his neighbors, relatives and friends as a Cherokee person having Cherokee Indian blood; and that the common name, appellation and name of the said William Doolinger mentioned in the said Indian Deed is William Doolinger is of Indian blood. That from the above facts and circumstances and from said facts made to him by the said Ancestors affiant states he has every reason to believe, and does believe that the said William Doolinger is of Cherokee Indian blood.

William further states that he has no interest whatever in the prosecution of the claim of the said William Dolinger to citizenship in the Cherokee Nation, I. T., and that is not related by blood or marriage to the said William Dolinger. He is a State and Cherokee Agent.

Wm. L. Glevins

Subscribed and sworn to before me this 17 day of Aug A. D. 1896.

and I further certify that I am well acquainted with the said Wesley Blewins and know him to be a person of credibility and of

truth and veracity

10. M. Hart. J. P. ~~10. M. Hart. J. P.~~

My commission expires on the day of, 189 ..

STATE OF NORTH CAROLINA.
ASHE COUNTY.

10. FOUNDER BLAVINS, Clerk of the Superior Court of said county, do certify that *10-11-11*

... Est., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
 are warranted to be true, faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said county, this 14 day of June, 1896.

J. J. Quinn
Clerk Superior Court

End

Nation's No. 1788

Commission's No.

In re Application of

W. H. ...

Demurrer and Answer.

FILED SEPT. 27

U. S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners,

In the matter of application of
John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *he is*

..... through whom the petitioner..... claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By

F. L. Adams, F. L. Adams & Boutwell

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

12th day of

1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

J. H. Deringer for Citizenship in the Cherokee Nation, Ind. Ter.

and of the affidavits of *Wm. A. Lewis* *Stephen Hall* *Wm. A. Lewis* *Stephen Hall*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *7* day of September, 1896.

J. N. Baldwin
W. A. Deringer Notary Public
My Commission expires Mar. 7 1900.

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon House Com

Your petitioner, *J. H. Odinger*, earnestly and respectfully represents that he is *one*
Sister Cherokee Indian by blood, deriving the same from his lineal ancestor, the an-
Red Simon through *his mother Elizabeth Odinger who was*
a daughter of Catherine Caldwell who was a daughter
of Catherine Hart who was a daughter of Red
Simon a full blood Cherokee Indian

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *John Henry Odinger*, age *36* year
residence *Waynes Co Va*, in the State of *Va*, postoffice address *Waynes*
County of *Waynes*, State of *Va*, occupation that of *Farmer*

I am married and have three children
James O Age 3 years James B Age 3 years
Lois E Age 1 year

Attesting witnesses,

Most Respectfully Submitted,

[SEAL.]
[SEAL.]

J. H. Odinger [SEAL]

State of *North Carolina* } ss.
County of *Ashe*

Personally appeared before me, *W. M. Hart*, a Justice of the Peace
in and for said county in the State aforesaid, *J. H. Odinger*, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the *8* day of *Aug* 1896.

Attesting witnesses,

W. M. Hart [SEAL]

[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *8* day of
Aug 1896, and I do certify that I am personally acquainted with *J. H. Odinger*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the
Courts of the State of *NC*, and that I have no interest directly or indirectly in the pro-
secution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

W. M. Hart

STATE OF NORTH CAROLINA, } ss.
Ashe County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
Hart, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *14* day of *August*, 1896.

P. Blevins
Clerk Superior Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east; that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, (Mar 7) 1900.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON,

[Signed]

WILLIAM x PRICE.
Jurat.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed]

ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

AFFIDAVIT OF WITNESS.

STATE OF North Carolina }
COUNTY OF Ash } ss.

BEFORE ME, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Step. Hunt who after being by me duly sworn states that is 34 years of age, and a citizen of Ash County and State of NC and that he is personally acquainted with J. H. Eldinger who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said J. H. Eldinger is the identical person he represents him self to be in his application for citizenship in said Nation, and that the said J. H. Eldinger is the son of Elizabeth Eldinger who was a daughter of Catherine Caldwell who was a daughter of Catherine Hunt who was a daughter and signor a full blood Cherokee Indian

Affiant further states that he has known the said J. H. Eldinger for the past 36 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion, physical appearance, language and manners of the said J. H. Eldinger indicate that the said J. H. Eldinger is of Indian blood. That from the above facts and circumstances and from statements made to him by the said J. H. Eldinger affiant states he has every reason to believe, and does believe that the said J. H. Eldinger is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said J. H. Eldinger to citizenship in the Cherokee Nation, I. T., and that is not related by blood or marriage to the said J. H. Eldinger. But he is of Ash and Cherokee descent

Subscribed and sworn to before me this 8 day of Aug A. D. 1896.

and I further certify that I am well acquainted with the said Stephen Hunt and know him to be a person of credibility and of truth and veracity.

D. M. Hart, J.P.
Notary Public.

My commission expires on the _____ day of _____, 189_____.

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Step. Hunt Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14 day of August, 1896.

P. Blevins
Clerk Superior Court.

End



Nation's No. 1037.

Commission's No

In re Application of

Laura Hart, et al.

Demurrer and Answer.

FILED SEPT 29 -

A. S. 1891

COM. R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabanias, and
A. B. Montgomery, Commissioners.

In the matter of application of

Laura M. R. et al.

Nation's No. 1097

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner^s claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

12th day of

1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of
Laura Hunt
for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Sam'l Davis, Alfred Price,*
Wm Price, Wm A. Lewis, Wm A. Lewis,

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
W. H. Davis Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO Hon. J. W. Com

Your petitioner, Tanner, F. A., earnestly and respectfully represents that she is now
second, Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Mr. Sigmond, through her father Eli F. A. a son of
Stephen F. A. a son of a son of Cassius
Sigmond a son of Mr. Sigmond a white man
Cherokee Indian

Your petitioner, therefore, submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian Citizenship as aforesaid in the Cherokee Nation and asks for full and complete
investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Tanner, F. A., age Eighteen years,
residence ..., in the State of ..., postoffice address ...
County of ... State of ... occupation that of a ...

...
...

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL] }
.....[SEAL] }

Tanner, F. A. [SEAL]

STATE OF ... } ss.
COUNTY OF ... }

Personally appeared before me, ..., a Justice of the Peace
in and for said county in the State aforesaid, ..., the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated therein,
this the 18 day of ... 1896.

Attesting witnesses,

J. D. Hart, Jr. [SEAL]

.....[SEAL]

.....[SEAL]

Subscribed and sworn to before me, a ... as aforesaid, on this 18 day of
... 1896, and I do certify that I am personally acquainted with Tanner, F. A.
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of
the Courts of the State of ... and that I have no interest directly or indirectly in the
prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

J. D. Hart, Jr.

STATE OF NORTH CAROLINA, } ss.
Ashe County. }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ...
..., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 17 day of August 1896.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON.

[Signed]

his
WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed]

his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY,) ss.
Cherokee Nation.)

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, *Mar 7* 1900

[SEAL]

Notary Public.

No 2292 311
T. W. W. & Co.
Cincinnati
Po White Sept 14

(Cincinnati family)
Filed Sept 7-1894
A. S. McKenna
Cincinnati

John Baldwin
Silas C. 1894
NE

[Faint, mostly illegible handwritten text, likely a certificate or legal document.]

STATE OF NORTH CAROLINA, } ss.
ASHIE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ...
... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this ... day of ... 1896.

[Signature]
Clerk Superior Court

[Handwritten flourish or signature]

End



Nation's No. / 75 /

Commission's No.

In re Application of

James C. [unclear]

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this *27* day of *August* 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY.
Cherokee Nation.

I, S. H. LOWN, do solemnly swear that on the Fourth day September, 1896, I, in person,
delivered to MR. JASTIN S. FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the
Cherokee Nation, a package which contained a true copy of the application of
J. H. LOWN for Citizenship in the Cherokee Nation, Ind. Ter.,

and the said package was delivered to the
Honorable DAWES COMMISSION.

I solemnly swear that the papers which are now filed with the Honorable DAWES COMMISSION,
at Vinita, Oklahoma, are no interest in this matter.

Subscribed and sworn to before me this, the

7 day of September, 1896.

W. H. Bouldin
Notary Public

My Commission Expires 1st March 1897

Handwritten text, possibly a signature or date, located in the upper center of the page.

FOR CHEROKEE INDIAN CITIZENSHIP

Your petitioner Liliana E. Flores a duly sworn and duly qualified interpreter states that she is one

first-second _____

Ned Lawrence
 Margaret Ear was
 son of Catherine Ear
 who was a

Your petition stated no specific facts or circumstances in your statement of facts as grounds for her application for Citizenship. It only stated an allegation of "bad character." Nation and asks for a full and complete investigation of the alleged and possible activities in order to determine if the subject as herein stated, that she be allowed the rights, privileges and immunities of a citizen of the United States.

Petitioner's full name is Lawson, C. C. years
residence Lawson, C. C. State Ill. postoffice address Lawson
County of Spencer State of Ill. occupation that of a house-
holder married yes no following
named minor children: James C. Lawson 11 years
G. Plummer aged 8 years Robert S. Plummer aged 4 years
Robert S. Plummer aged 4 years

Attesting witnesses

Very truly yours,

Ilaria C. Plummer

STATE OF *California*COUNTY OF 22

Personally, we careen between

and the said county of _____ State of _____, the petitioner in the above
petition for Cherokee Grant, _____, of the _____ County, _____, U. S. A., who after he
duly sworn according to law states that the facts and circumstances stated in the petition above are true as stated
therein, this the _____ day of _____, 19____.

Attesting witnesses.

William C. Allen SEAL

Seal

Subscribed and sworn to before me, a _____, at _____, Missouri, on this _____ day of _____ 1890, and I do certify that I am personally acquainted with _____ the said petitioner, and know that _____ is a _____, and that he has taken the oath and went before any of the Courts of the State of _____ and that _____ has no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship, and that he is not entitled to it by blood or marriage.

STATE OF NORTH CAROLINA,
ASHF COUNTY.

I, **POINDEXTER BLEVINS**, Clerk of the Superior Court, do hereby do certify that *Mc. B...*
Justice Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State duly commissioned and sworn that all his official acts
are entitled to full faith and credit and that his signature thereon is genuine. Witness, my hand and seal of
said Court, this *1st* day of *March* 190*6*.

Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

On Alma C. Pinner To Cherokee Indian Citizenship.

AFFIDAVIT OF Plaintiff

STATE OF North Carolina
COUNTY OF Ashe

On this, the 28 day of July, A. D. 1896, personally before me, M. C. Lash,
a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared Alma C. Pinner, aged 37 years, a resident of Haywood
county, and State of Virginia, whose postoffice is Haywood, who after
being duly sworn, deposes and says that she is the second Indian by blood and
a claimant for Cherokee Indian citizenship. Affiant further says on oath that she
derive her Indian blood from her ancestor, Tu
Late Ned Sizer, a well known Cherokee Indian
in her father and maternal

and is a direct descendant of Sizer family, whose name she believes appears
upon the census rolls that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that she believes the said Sizer to be of Cherokee
Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says she has been taught and has heard from her earliest youth that she is a descendant
of a Cherokee Indian family and that affiant has been recognized and treated by her neighbors and
the public generally as a person of Cherokee Indian blood and that from her complexion and physical
appearance she has every reason to believe and does believe that she is of Cherokee Indian blood
and is an admixture of Cherokee and Cherokee and at least one Cherokee Indian by blood.

Affiant further says the above statements are true to the best of her knowledge and belief.

Alma C. Pinner

Subscribed and sworn to before me, this 28 day of
A. D. 1896, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe her to be a credible person.

M. C. Lash J. P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } SS,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by (Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August, A. D. 1896, personally appeared before the undersigned Justice of the Peace, in and for the county of Ashe, State of North Carolina, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, in any case several years prior to that time being the Cherokee sovereign and settled in Ashe county, N. C.; that said Ned Sizemore had the reputation of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, among whom was the father of Lydia Sizemore who married James Blewins and who was the mother of James P. H. George, Agent, residing from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart, and who had several sons and daughters; Margery was married to Robert H. Caldwell, who was the father of Margery, Robert, George, Frank and George Hart; said Ned Sizemore also had other sons and daughters, and said Catharine Hart was the mother of Catharine Caldwell, who was the mother of Nancy Caldwell and William D. Caldwell; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

his
[Signed] ALFRED A. PRICE,
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. H. HART, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia who married one James Blewins, and lived in Ashe county, N. C.; that said James and Lydia Blewins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Caldwell and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM A. PRICE,
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

A. D. 1896, personally ap-
 pointed by the State Naturalist, and for the
 purpose of examining the bones of the
 skeleton of the Indian. When A. Lewis, aged
 25 years, was taken to the address of the Cherokee
 Nation, he was first duly sworn, and says:
 "I was taken to the Indian Territory with
 a large party of men from the east, that he was well
 acquainted with the majority of the members of said tribe who so
 far as was of those who remained in the east, that he
 was well and personally acquainted with one Ned Sizemore, in
 the Cherokee Nation, and knows that he was al-
 ways treated as a Cherokee Indian, and from
 his acquaintance with him, and
 from the fact that he is a Cherokee Indian by blood and of
 the Cherokee Nation, he said Sizemore from about the year
 1880 to the present time, that said Sizemore was
 a member of the Nation from that date, and again in

1. Name of vessel and serial number, day and date first above

Wm. Lewis

Witness my hand and the seal of the County of San Diego, California, this, the 2nd day of September, 1907.

W. C. Phillips Notary Public.

March 1900

Affidavit of Witness.

INDIAN TERRITORY.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. B. Carter, who after being by me duly sworn, states that he is 35 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Heavensboro, in said County and that he is personally acquainted with Calvin C. Plummer, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Calvin C. Plummer is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 17 years and knows that he is and has been recognized and treated by all neighbors, acquaintances, and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this

1st of September, A. D., 1896.
J. B. Carter
Notary Public.

My commission expires August 1, 1900.

AFFIDAVIT OF WITNESS.

te of 100
nty of 100

Before me, the undersigned authority, on this _____ day of _____, 19____, _____ and for the County and State of _____, personally appeared _____, known to me and for the County and State of _____, who being duly sworn, states that he is _____ years of age, and a _____ of _____ County, and State of _____, and that he is personally acquainted with _____, who is an applicant for citizenship in the _____ Nation, and _____ states that the said _____ is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said _____ is _____.

[illegible]

Admit further that he has grown up [redacted] for the past [redacted] years
and knows that the said [redacted] has been [redacted] by [redacted] acquaintances and the public
generally as a person having [redacted] about [redacted] and [redacted] physical appearance
dignified and [redacted] of the said [redacted] [redacted] that the said [redacted]
is a [redacted] man. That from the [redacted] statements made to him by the said
[redacted] [redacted] he believes that the said
[redacted] [redacted] [redacted]

AP and further states that he has no direct contact with the members of the team of the said "A" and that he is not related by blood or marriage to the said "A".

Subscribed and sworn to before me this _____ day of _____, 19____.

_____, J. P. I solemnly and I further certify that I am well acquainted with the said _____ and know him to be a person of credibility and of good character.

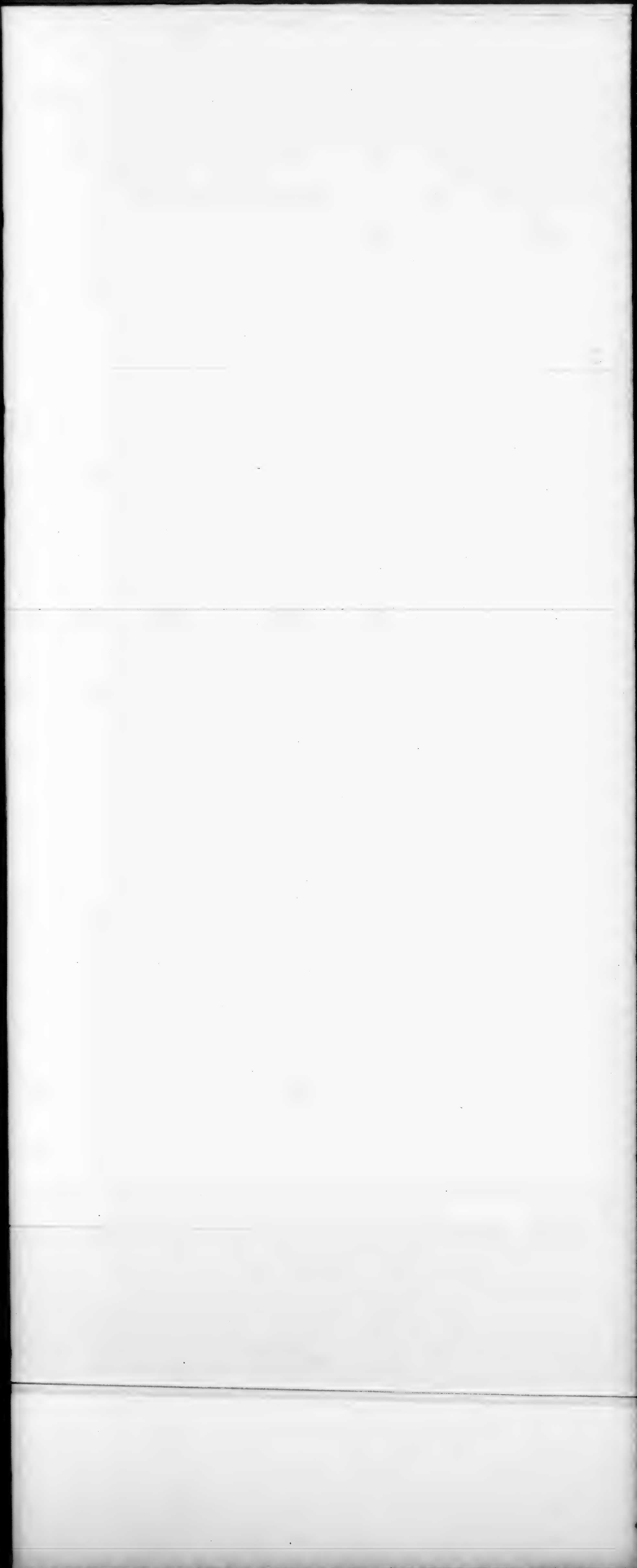
My commission expires 14 Nov 1967

STATE OF NORTH CAROLINA,) ss.
ASHE COUNTY,)

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do hereby certify that ...
 ... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, and commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this ... day of ... 1896

Clerk Superior Court.

End



Nation's No. 1009
Commission's No.
In re Application of

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not denying the facts of the petition, but insisting upon the same for answer to said appli-
cation, says that

through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation west to the Indian Territory is at present located and defined; that his name
does not appear on any of the documents of the said Nation; that neither he nor any of his ancestors now
reside, or ever resided, in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By _____ Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the _____ day of _____, 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, Ind. Ter., a package which contained a true copy of the application of _____ for Citizenship in the Cherokee Nation, Ind. Ter.

and of the affidavits of _____

In support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. This affiant has no interest in this matter.

Subscribed and sworn to before me this _____

day of September, 1896.

W. H. Hastings, Frank J. Boudinot, Wm. T. Hutchings

Clair
J. W. Allen
to the
Chester Indian City
Ind. P.

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Senate Commission:*

Your petitioner, *Nancy J. Warren*, earnestly and respectfully represents that she is *one*

Scire Cherokee Indian by blood, deriving the same from her lineal ancestor, the late

Jed Sigmon through her mother *Cornelia Seal* who ~~is~~ a daughter of *George Hart*, who was a son of *Callie Seal*, who was a daughter of *Ned Sigmon* a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Nancy Jane Warren*, age *forty eight* years.

residence *Haydon Co.*, in the State of *Virginia*, postoffice address *Haydon*

County of *Haydon*, State of *Virginia*, occupation that of a

housewife and is the mother of the following named minor children, Charlie Hark, aged 18 years; Gerora Hark, aged 15 years; Mary C. Duncan, aged 10 years; Wiley Duncan aged 9 years.

Attesting witnesses,

Most Respectfully Submitted,

Edw. Ready [SEAL.]

R. B. H. H. H. [SEAL.]

State of *North Carolina*, ss.

County of *Ashe*

Personally appeared before me, *S. M. Duvall*, a Justice of the Peace in and for said county in the State aforesaid, *Nancy Jane Warren*, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in her said petition above are true as stated therein, this the *5* day of *August* 1896.

Attesting witnesses,

Edw. Ready [SEAL.]

R. B. H. H. H. [SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *5* day of

Aug 1896, and I do certify that I am personally acquainted with *Nancy J. Warren*

the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

S. M. Duvall J.P.

STATE OF NORTH CAROLINA, ss.

Ashe County,

I, *P. B. Havins*, Clerk of the Superior Court of said county, do certify that *S. M. Duvall*

Justice of the Peace, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a

Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts

are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of

said Court, this *5* day of *August* 1896.

P. B. Havins

Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C. that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally know one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C. that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said antie-affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lydia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hush and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, his
[Signed] WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C. and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C.; and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, }
Cherokee Nation. } ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]

W A Lewis Notary Public.

March 7 1900

No. 2298

IN THE MATTER OF

Henry

Claim to Citizenship in

Nation, I. T.

Do Rugby Vt

(Sizmore family)

Filed Sept 8-1894

AS McK...

Cur...

W. J. ...

John Baldwin

Silas Corio

W. C.

— 0 —

P. Blevins
.....
Clerk Superior Court.

End

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
J. F. Waters, et al.

Nation's No. 1074.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~s~~ are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation; says that ~~the~~ Said Waters

through whom the petitioners claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Loudinot.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

16th day of June 1896.

NOTARY PUBLIC.

Nation's No. 1074.

Commission's No

In re Application of

J. F. Waters, et al.

Demurrer and Answer.

26

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *J. N. Baldwin* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Alfred Price, Wm Price, Samuel Davis, Wm A. Lewis, Wesley Price*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *J. N. Baldwin* day of September, 1896.

W. A. Davis Notary Public

My Commission Expires Mar 7th 1900

for Cherokee Indian Citizenship

To the Hon. David Commissioner
 your petitioners John Miller it is proven and he
 believes he is one sixth fourth Cherokee Indian by
 blood deriving to some from his Grand ancestor
 the late Ned Sige more through his father Mark per
 Miller was and a son of Silpha Miller a daughter
 of Mary Hampton whose maiden name was Mary
 Blewitt a daughter of Sylvia Blewitt whose maiden
 name was Sylvia Sigmire a daughter of John
 Sigmire a son of Ned Sigmire a full blood
 Cherokee Indian your petitioner therefore submits
 to your honorable body the above statement of
 facts as grounds for his application for Cherokee
 Indian Citizenship as herein said in the Cherokee
 Indian and can not give and connects himself
 with his claims and of the same is found to be a fact
 and correct as herein stated that he be allowed
 all the rights Privileges and Immunities of
 other citizens of said Nation. Petitioners full name
 is John Franklin Miller age 44 years Residence
 Buchanan Co. in the 11th Postoffice address Grundy
 County of Buchanan State of Mo. Occupation that of
 a farmer

Attest his signature Submitted

Seal

Seal

John F. Miller Seal

State of Mo. before me

County of Grundy

person of appear before me

a Justice of the Peace in and for said County
 in the State of Mo. said J. F. Miller the petitioner
 in the above petition for Cherokee Indian Citizenship
 in the Cherokee Nation O. S. 148, a who after being
 duly sworn accordingly has stated that the facts
 set forth in his said petition above are true
 as stated therein. This 18th day of Aug 1896

Attest

John Miller J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that in his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this 19. day of August. 1896.

D Blevins

P. Berino
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by (Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore lived in Ashe county, N. C., and had a numerous family of sons and daughters, one son, Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grabb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] D. H. BIRLEY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

Wm A Lewis [SEAL]
W A Lewis, Notary Public.
My commission expires *March 7, 1900*

3314
No 2286

62

J. Waters
to infant
to John W. Indian
to Elizabeth
to Grundy Va

(Birmingham family)

Filed Sept 7-1896

A. S. McKee on
Owner

Agree

John Baldwin

Silas Carr
MC

State of N.C. } Affidavit of witness
County of Ashe

61

Before me the undersigned a Justice of the Peace in and for the County and State aforesaid Personally appeared Wesley Blevins who after being sworn & duly sworn States that he is 69 years of age and a citizen of Ashe County and State of N.C. and that he is personally acquainted with J.F. Waters who is and applicant for citizenship in the Cherokee Nation N.C. and affiant further States the said J.F. Waters is the identical Person he represents in Self to be in his application for citizenship in said Nation and the said J.F. Waters is a Son of Mark W. Waters who was a Son of Gilepho Waters a daughter of Mary Thompson whose maiden name was Mary Stevins a daughter of Lydia Blevins whose maiden name was Lydia Sizemore a daughter of Cain Sizemore a Son of Wm. Sizemore a full blood Cherokee Indian affiant further States he has known the said J.F. Waters for the past 20 years and knows that he is and has been recognized and treated by his neighbors acquaintances and the Public generally as a Person having Cherokee Indian blood and that the complexion Physical appearance language and manners of the said J.F. Waters indicate that the said J.F. Waters is of Indian blood that from the above facts affiant further States he has every Reason to believe and does believe that the said J.F. Waters is of Cherokee Indian blood affiant further States that he has no interest whatever in the prosecution of the Claim of the said J.F. Waters to citizenship in the Cherokee Nation N.C. and that he is not related by Blood or Marriage to the said J.F. Waters that the said J.F. Waters is of white and Cherokee Descent

Wesley Blevins
Affiant

POOR ORIGINAL -
BEST AVAILABLE COPY

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

P B Brins
Clerk Superior Court.

7202284
J. H. Bates
Esq.
100 N. Main St.
Boston
Mass.
Sept 7-1894
A. S. McKeown
Esq.
John D. Adams
Esq.
New York
City

End

3315

Nation's No. 11275

Commission's No.

In re Application of

W. C. G. G. G. G. G.

Demurrer and Answer.

20-

U. S. ...

Before the Honorable, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

By the matter of application of

John L. Awar

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That his Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurral, but insisting upon the same for answer to said appli-
cation, says that:

John L. Awar through whom the petitioner claims to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, nor ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

John L. Awar *Attorneys.*

John L. Awar, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this *12th* day of *Sept* 1896.

D. L. Rice

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY.
Cherokee Nation.

I, J. N. FALLOON, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to W. M. HASTINGS, FRANK J. BOUDINOT and W. M. T. HUTCHINGS, Attorneys for the Cherokee Nation, in Tahlequah, I. T., a package which contained a true copy of the application of *John J. Falloon* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Wm. J. Smith, David Davis, Ulysses D. Price, Wm. J. Smith, W. D. Davis, J. H. Martin.*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this

day of September, 1896.

A. C. Reddick
W. H. Libbitts, Notary Public

My Commission expires Mar. 7 1900.

Claim
3 Wily J. Shuman
to 3 Claimant
Cherokee Indian
Citizenship

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. James Commission

Your petitioner, Wiley S. Sencer

earnestly and respectfully represents that he is one
truly-born Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Red Sencer through his father Robert A. Sencer who
was a son of William Sencer who was a daughter of
Marquy Hark, who was a daughter of Esthame Hart,
who was a daughter of Red Sencer. He was
born with the first class

Your petitioner therefore solemnly swears that the above statement of facts as grounds for his
application for Cherokee Indian citizenship as set forth in the Cherokee Nation and asks for a full and complete
investigation of the same and that the same is true, valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of the Cherokee Nation.

Petitioner's name Wiley S. Sencer age seventy-eight years.
Residence Cherokee the State of Virginia postoffice address Grainy
County of Cherokee State of North Carolina occupation that of mill

Attesting witnesses,

Most Respectfully Submitted,

SEAL

SEAL

STATE OF North Carolina

COUNTY OF Cherokee

Personally appeared before me W. S. Sencer Justice of the Peace

and he being duly sworn, depose and say that the facts set forth in the

petition of Cherokee Indian citizenship the Cherokee Nation, Indian Territory, U. S. A., who after being

duly sworn according to law states that the facts set forth in the said petition above are true as stated

thereon, this 27 day of July 1896.

Attesting witnesses,

SEAL

SEAL

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of
July 1896, and I certify that I am personally acquainted with Wiley S. Sencer
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any
the Courts of the State of North Carolina and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship, and am not related to him by blood or marriage.

W. S. Sencer

STATE OF NORTH CAROLINA, ss.
CHEROKEE COUNTY.

I, POINDEXTER BREVINS, Clerk of the Superior Court of said county, do certify that Wiley S. Sencer
Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
are entitled to full faith and credit, and that his signature thereon is genuine. Witness, my hand and seal of
said Court, this 14 day of July 1896.

Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Wiley T. Shuman To Cherokee Indian Citizenship.

AFFIDAVIT OF *Shuman*

State of *North Carolina*

County of *Cash*

On the *27* day of *July*, A. D. 1896, personally before me *W. C. Heath*

Wiley T. Shuman, aged 28 years, a resident of *Lawson*,
whose post office is *Lawson*, who after
being sworn, says that he is a *truly second* Indian by blood, and
that he is a *Cherokee* Indian. Affidavit further says on oath that he
has been *Indian* since his mother
was a *full blood Cherokee*
Indian, as set forth in his *Elition and*
Memorial.

He is a descendant of the *Seemore* family, whose name he believes appears
in the records taken by the United States government, by blood, of the Cherokee tribe.
Affidavit further says that he believes the *Seemore family* to be of Cherokee
tribe of Indians.

He further says that he has heard from his mother that he is a descendant
of *Seemore* family, and that he has been recognized and treated by his neighbors and
family as a *Cherokee*. He is understood that from his complexion and physical
features, he is enough to believe and does believe that he is of *Cherokee* Indian blood
and is a *wholly* and Cherokee at least one *truly second* Indian by blood.
Affidavit further says the above statements are true to the best of his knowledge and belief.

Wiley T. Shuman

Subscribed and sworn to before me, the *27* day of *July*,
A. D. 1896, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfactorily
authenticated before me) and I verily believe him to be a credible person.

W. C. Heath

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss.
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 66 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn, states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Chamberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia, who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest J. H. BARTON, this
WILLIAM A. PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HARRIS, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss.
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C.; that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells, Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED A. PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *May 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 56 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverford, in said County, and that he is personally acquainted with Wiley T. Spensen, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Wiley T. Spensen is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 7th day of September, A. D., 1896.
M. A. Roberts, Notary Public.

My Commission expires, March 7, 1900.

#2179

No.

IN THE MATTER OF

Henry J. ...

Claim to Citizenship in

Nation, I. T.

Do Harry Cook N.C.

(Suzanne family)

*Filed Sep 8th 1896
A. M. Kemmer
Comm*

*John B. ...
Sias ...
Kennebec*

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* }
COUNTY OF *Wayne* } ss.

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *Samuel Davis*, who after being by me duly sworn states that he is *77* years of age, and a citizen of *Wayne* County, and State of *Virginia* and that he is personally acquainted with *Wiley T. Spencer*, who is an applicant for citizenship in the *Cherokee* Nation, I. T., and affiant further states that the said *Wiley T. Spencer* is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said *Wiley T. Spencer* is a son of *Robert A. Spencer*, who was a son of *Hellie Spencer* who was a daughter of *Wangley Black* who was a daughter of *Catherine Black* who was a daughter of *Ned Simpson* who was a *Cherokee Indian* of the *Red* band.

Affiant further states that he has known the said *Wiley T. Spencer* for the past *28* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Cherokee* Indian blood; and that the complexion, physical appearance, language and manners of the said *Wiley T. Spencer* indicate that the said *Wiley T. Spencer* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Wiley T. Spencer* affiant states he has every reason to believe and does believe that the said *Wiley T. Spencer* is of *Cherokee* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *Wiley T. Spencer* to citizenship in the *Cherokee* Nation, I. T., and that he is not related by blood or marriage to the said *Wiley T. Spencer*.

Attest.

Samuel Davis

Subscribed and sworn to before me, this *11* day of *Aug.* A. D. 189*6* and I further certify that I am well acquainted with the said *Samuel Davis* and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 189*6*.

W. H. J. P.

STATE OF NORTH CAROLINA, }
ASHE COUNTY. } ss.

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Nash*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *12* day of *August* 189*6*.

P. H. Blevins
Clerk Superior Court.

End

Nation's No. 144

Commission's No. 1000

In re Application of

G. J. S.

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

in the matter of application of

S. H. Mayes

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

He is a citizen of the Cherokee Nation
through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this *10th* day of *July* 1896.

NOTARY PUBLIC

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Geo. F. Shaver* for Citizenship in the Cherokee Nation, Ind. Ter..

and of the affidavits of *Samuel Davis, Wm. Rice, Alfred Rice, Wm. Lewis, J. H. Britton*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *7* day of September, 1896.

J. N. Baldwin
W. H. Dibbels Notary Public

My Commission expires Nov. 7 1902

Clarice
George F. Spencer
to } Claimant

Charles Indian
Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Senate Commission*

Your petitioner, *George F. Spencer*, earnestly and respectfully represents that he is *one*

third - second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late *Ned Sizemore* through his father *Robert A. Spencer*, who is a son of *Nellie Spencer*, who was a daughter of *Margery Hart*, who was a daughter of *Catharine Hart*, who was a daughter of said *Ned Sizemore*, who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *George Franklin Spencer*, age *thirty - five* years residence *Chapman Co.*, in the State of *Virginia*, postoffice address *Grass* Creek County of *Ashe* State of *North Carolina* occupation that of a *farmer*

Attesting witnesses,

Most Respectfully Submitted,

.....[SEAL.]
.....[SEAL.]

George F. Spencer [SEAL]

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Personally appeared before me, *W. C. Hart*, a Justice of the Peace in and for said county in the State aforesaid, *George F. Spencer*, the petitioner in the above petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being duly sworn according to law states that the facts set forth in his said petition above are true as stated therein, this the *27* day of *July* 189*6*.

Attesting witnesses,

George F. Spencer [SEAL]

.....[SEAL.]
.....[SEAL.]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *27* day of *July* 189*6*, and I do certify that I am personally acquainted with *George F. Spencer* the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

W. C. Hart J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *W. C. Hart* Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *17* day of *August* 189*6*.

P. Plevins
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of George F. Spencer To Cherokee Indian Citizenship.

AFFIDAVIT OF

Claimant

STATE OF North Carolina }
COUNTY OF Ashe } ss.

On this, the 27 day of July, A. D., 1896, personally before me M. C. Hersh, a Justice of the Peace in and for the county aforesaid, duly authorized to administer oaths, appeared George F. Spencer, aged 25 years, a resident of Greensboro county, and State of Virginia, whose postoffice is Grassy Creek, N.C., who after being duly sworn according to law, says that he is one thirty-second Indian by blood and a claimant for Cherokee Indian citizenship. Affiant further says on oath that he denies his Indian blood from his ancestor, the late Ned Sizemore, a full blood Cherokee Indian, as set out in his Petition and Memoirs

and is a direct lineal descendant of the Sizemore family, whose name he believes appears upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of Indians. Affiant further says that he believes the said Sizemore family to be of Cherokee Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and the public generally as a person of Cherokee Indian blood and that from his complexion and physical appearance he has every reason to believe and does believe that he is of Cherokee Indian blood and is an admixture of white and Cherokee and at least one thirty-second Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

George F. Spencer

Subscribed and sworn to before me, this 27 day of July, A. D., 1896, and I further certify that the foregoing affidavit was read to affiant in my presence. That said affiant is to me personally known (or has been satisfactorily identified before me) and I verily believe him to be a credible person.

M. C. Hersh J.P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line. Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, [Signed] his WILLIAM x PRICE mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son, Owen, who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Cornelia Hart; said Ned Sizemore also had other sons and daughters; said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were truly made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] J. H. BARTON, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY. | ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm A Lewis [SEAL]
W A Lewis Notary Public.
Mar 7 1900

Affidavit of Witness.

INDIAN TERRITORY,)
Cherokee Nation,)

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waukesha, in said County, and that he is personally acquainted with George H. Spence who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said George H. Spence is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 16 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, the J. H. Barton day of September, A. D., 1896.
M. H. Davis, Notary Public.

My Commission Expires, March 7, 1900.

IN THE MATTER OF

Citizenship in

Ms. A. 9. 2. 1. 1

(original & family)
Filed Sep 8th 1892
R. H. H. H. H. H.
H. H. H. H. H.

John Brown
Lives in a
house

AFFIDAVIT OF WITNESS.

STATE OF *North Carolina* } ss.
COUNTY OF *Wayne* }

Before me, the undersigned, a *Justice of the Peace* in and for the County and State aforesaid, personally appeared *John H. Spencer*, who after being by me duly sworn states that he is *77* years of age, and a citizen of *Wayne* County, and State of *Virginia* and that he is personally acquainted with *George B. Spencer*, who is an applicant for citizenship in the *United States* Nation, I. T., and affiant further states that the said *George B. Spencer* is the identical person who represents himself to be in his application for citizenship in said Nation, and that the said *George B. Spencer* is a son of *A. Spencer*.

The undersigned further states that he is well acquainted with the said George B. Spencer, and knows him to be a person of good character, and that he has never heard of any person by the name of George B. Spencer who is not a son of A. Spencer.

Affiant further states that he has known the said *George B. Spencer* for the past *40* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *1/4* Indian blood, and that the complexion, physical appearance, language and manners of the said *George B. Spencer* indicate that the said *George B. Spencer* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *George B. Spencer*, affiant states he has every reason to believe and does believe that the said *George B. Spencer* is of *1/4* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said *George B. Spencer* to citizenship in the *United States* Nation, I. T., and that he is not related by blood or marriage to the said *George B. Spencer*.

Attest,

Samuel L. Lacy

Said affiant did swear to before me, this *10* day of *August*, A. D. 189*6*, and I further certify that I am well acquainted with the said *George B. Spencer*, and know him to be a person of credibility and of truth and veracity.

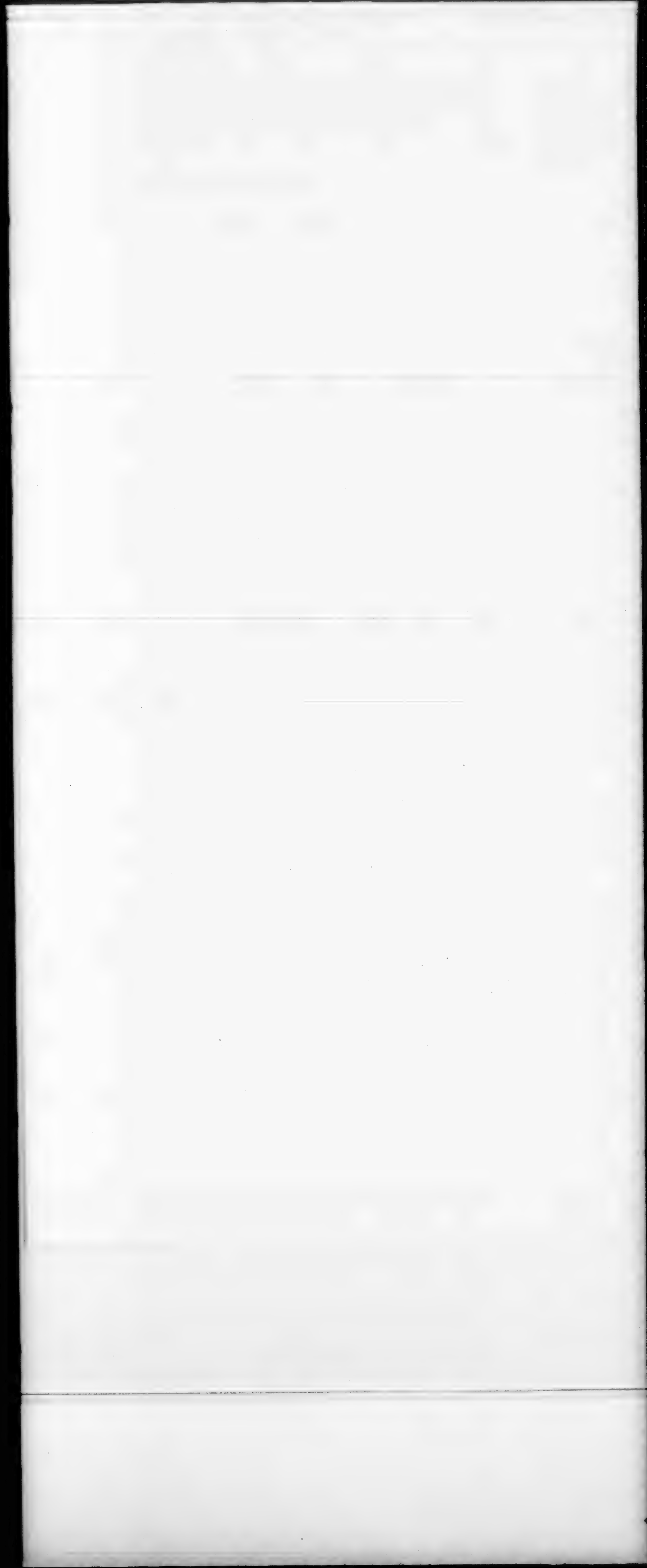
My commission expires on the _____ day of _____ 18*9*_____.

STATE OF NORTH CAROLINA, } ss.
ASHLEY COUNTY. }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *John H. Spencer*, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this *10* day of *August*, 189*6*.

John H. Spencer
Clerk Superior Court.

End



Nation's No. _____
Commission's No. _____
In re Application of

William L. Kincer

Demurrer and Answer.

20-

Before the Honorables Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application
of [redacted] [redacted]

Nation's No.

Commission's No.

for citizenship of the Cherokee Nation

Your petitioner, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and he grounds thereof says:

1st. That it is not in the jurisdiction over the parties or subject matter of this controversy,
and no legal right to be determined and terminate the same.

2nd. That the same does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent, not being a petitioner, but insisting upon the same for answer to said appli-
cation, says that [redacted]

through whom the petitioner claim to derive *his* right
to citizenship of the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation to the Indian Territory as at present located and defined; that his name
does not appear on the list of the citizens of said Nation; that neither he nor any of his ancestors now
reside in the Cherokee Nation and Indian Territory, as citizens thereof.

Having read the petition, and the respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

[redacted] Attorneys.

John L. Adams, Esq., Principal Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing are true, to the best of his knowledge and belief.

Subscriber, not sworn to, being me, this, the

day of [redacted] 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the fourth day September, 1896, I, in person, delivered to WM. HASTINGS, CHAS. K. ROBERTS and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, Ind. Ter., a package which contained a true copy of the application of *Solomon H. Spivey* for citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavit of *Wm. H. Spivey* in support of said application, and that the said package was delivered to the said attorneys for the Cherokee Nation, at Tahlequah, Ind. Ter., and that the said package was delivered to the said attorneys for the Cherokee Nation, at Tahlequah, Ind. Ter., and that the said package was delivered to the said attorneys for the Cherokee Nation, at Tahlequah, Ind. Ter.,

In support of said application, the originals of said affidavit and the Honorable DAWES COMMISSION, at Washington, D. C., that said package was delivered to the said attorneys for the Cherokee Nation, at Tahlequah, Ind. Ter., and that the said package was delivered to the said attorneys for the Cherokee Nation, at Tahlequah, Ind. Ter.,

Subscribed and sworn to before me this *4th* day of September, 1896.

Wm. H. Spivey
Public

my commission expires

Chambre
de la Cour
de la Cour
de la Cour
de la Cour

PETITION AND MEMORIAL. FOR CHEROKEE INDIAN CITIZENSHIP.

To the Hon. Senate & House of Representatives

Your petitioner Solomon A. Stinson earnestly and respectfully represents that he is one
half-breed Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
John Stinson through his father John Stinson, who
was a son of William Stinson, who was a daughter
of Margen - ask who was a daughter of Catharine
last, who was a daughter of Said Ned Sigemore, who
was a Cherokee Indian of the full blood

Yours petitioner, therefore, begs the honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of the same and if found to be valid and correct as herein stated, that he be allowed
to become a citizen of the Cherokee Nation and of other citizens of said Nation.

His name is Solomon A. Stinson, age thirty years.
He was born in the State of Virginia, postoffice address Greasy
and Ashe State of North Carolina occupation that of a
farmer

Attesting witnesses

Most Respectfully Submitted,

SEAL

SEAL

Solomon A. Stinson [SEAL]

John A. Stinson
John A. Stinson

Presented and sworn to before me Justice of the Peace
and I certify that the facts set forth in the above
petition are true and correct.

Witness my hand and seal of office this 27 day of July 1896
Attesting witnesses, Solomon A. Stinson [SEAL]

SEAL

SEAL

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of
July 1896, and I do certify that I am personally acquainted with Solomon A. Stinson
the said petitioner and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina and that I have no interest directly or indirectly in the
procurement of his citizenship for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. D. Hask

STATE OF NORTH CAROLINA
ASHE COUNTY.

I, PHINDERTER BLEVINS, Clerk of the Superior Court of said county, do certify that John A. Stinson
John A. Stinson Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 27 day of July 1896.

Phindexter Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

STATE OF NORTH CAROLINA, ss.
County of Ashe

State of North Carolina,)
County of Ashe,) ss:

Alford states these facts from his own personal knowledge and observation. Given *ex Agg.*, the Bank, 1997.

Subscribed and sworn to before me this 19th day of August, 1896,
and I certify that the contents of the foregoing affidavit were fully made
known to said Alfred Price before signing and swearing, and that said Alfred Price
is a person of truth and credibility.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, ETC.

Optical character and genuinities of signature of Justice certified by
Chief of Constabulary, seed of conviction.

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public, in and for the Northern District of the Indian Territory, personally appeared J. F. Hester who after being by me duly sworn states that he is fifty years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverlyford, in said County, and that he is personally acquainted with Samuel D. Spence who is an applicant for citizenship in the Cherokee Nation, and the affiant further states that the said Samuel D. Spence is the person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 18 years and knows that he has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from these facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me J. F. Hester this 1st day of September, A. D., 1896.

J. F. Hester, Notary Public.
My Commission expires, March 7, 1900.

#27 97

No.

IN THE MATTER OF

Oliver

Claim to Citizenship

No. ^{Nation} *Harry* *to a N.*

Roger

(Signature - family)

Filed Sept 28 1896

Wm. Cannon
Comr

John Brecken
Silas

Mc

0

County of Alameda ss.

Before me, the undersigned, a Justice of the Peace in and for the County and State of Virginia, the affiant Samuel Davis who after being by me duly sworn states that he is 37 years of age, and a citizen of Virginia County, and State of Virginia and that he is personally acquainted with William A. Sherrer who is an applicant for citizenship in the United States Nation, I. T., and affiant further states that the said Samuel Davis is the identical person he represents himself to be in his application for citizenship.

Witness further states that he has known the said James A. Smith for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having 1/2 Indian blood; and that the complexion, physical appearance, language and manners of the said James A. Smith indicate that the said

That from the above facts and circumstances and from statements made to him by the said William A. Jones, affiant states he has every reason to believe, and does believe that the said William A. Jones is of White Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said James H. Jones to citizenship in the United States Nation, I. T., and that he is not related by blood or marriage to the said James H. Jones.

Subscribed and sworn to before me this 1 day of July, A. D., 1896, and I further cer-
tify that I am well acquainted with the said, James M. McLaughlin and know him to be a
person of credibility and of truth and veracity.

My commission expires on the _____ day of _____, 189__.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY,

I, **PONDDEXTER BLEVINS**, Clerk of the Superior Court of said county, do certify that **... ..**
... .., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this **12** day of **March**, 1896.

Clerk Superior Court.

End



Nation's No. 1097.
Commission's No.
In re Application of

A. J. [illegible], et al.

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners

1. Petitioner's name
2. ...

Nation's No. 1095.
Commission's No.

Yours obedient servant, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application and grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application is not supported by sufficient facts to show that the applicant is
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, as follows:

through whom the petitioner claims to derive his right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation to the Indian Territory as at present located and defined; that his name
does not appear on the intertribal rolls of said Nation; that neither he nor any of his ancestors now
reside in the Cherokee Nation and Indian Territory, as citizens thereof.

Having duly answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

Attorneys.

John L. Asher, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
contents contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this

day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person,
delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the
Cherokee Nation, at Tahlequah, Ind. Ter., a package which contained a true copy of the application of
J. J. Delinger for Citizenship in the Cherokee Nation, Ind. Ter.,

and the names of *Alfred Rice, Wm. Rice, Sam'l
Davis, Wm. Lewis, J. H. Baldwin*
etc. etc. etc.

I submit to you the originals of which are now filed with the Honorable DAWES COMMISSION,
at Washington, D.C. That said applicant has no interest in this matter.

Subscribed and sworn to before me this, the

7 day of September, 1896.

J. N. Baldwin
Notary Public

Filed for record at Tahlequah, Ind. Ter., Sept. 7, 1896

FOR CHEROKEE INDIAN CITIZENSHIP.

That the said petitioners submit to your honorable body the above statement of facts as grounds for the
 application of the law of the Cherokee Nation and asks for full and complete
 consideration of the same and is the same found to be valid and correct as herein stated, that he be allowed
 to take the same charges and interests as all other citizens of said Nation.

Most Respectfully Submitted,

SEAL

SEAL

Subscribed and sworn to before me, a *Justice of Peace* as aforesaid, on this *8* day of *Aug* 189*6* and I do certify that I am personally acquainted with *A. S. Williams* he said to me and know that he is a creditable person and entitled to full faith and credit before any of the courts of the State of *NC* and that I have no interest directly or indirectly in the said land claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

I, **FRANCIS BLAVINS**, Clerk of the Superior Court of said county, do certify that **...**
Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this **...** day of **...**, 1896.

W. B. ...
Clerk Superior Court

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, U. S.

STATE OF NORTH CAROLINA }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the hereinabove personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after said tribe knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lydia who married James Blevins and another
daughter who married one Stampet, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George, and daughters, and Catharine who afterwards
married one Baldwin, and subsequently one Caldwell, and Margery who
married one Robert Hask and settled in Grayson county, Va., near the N.

and I state that and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore - descendants to citizenship in the Cherokee Nation, I. T.

Witness under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina,
County of Ashe.

On the 14th day of August, 1896, personally appeared before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State of North Carolina, William Price, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation.

(Signed) ALFRED C. PRICE,
Justice of the Peace.

Subscribed and sworn to before me this 14th day of August, 1896, and I certify that the contents of the foregoing affidavit were truly made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) L. H. BARTON, J. P.

The foregoing is a copy of an affidavit filed with the Hon. J. D. Dawes, Commissioner of the Bureau of Indian Affairs, for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,
County of Ashe.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 80 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 14th day of August, A. D. 1896.

Attest
J. H. BARTON, (Signed) WILLIAM C. PRICE,
his mark.

Sworn to and subscribed before me this 14th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

(Signed) M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. J. D. Dawes, Commissioner of the Bureau of Indian Affairs, for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.
INDIAN TERRITORY,
Cherokee Nation, 1896.

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory, William A. Lewis, aged
thirty-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so-
journd as well as of those who remained in the east; that he
is well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, affi-
dant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Wagon enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been so enrolled and who married Catharine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Size-
more had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe-
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires *Mar 7* 1900

Affidavit of Witness.

INDIAN TERRITORY, ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 35 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with A. H. Linger, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said A. H. Linger is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, the 3rd day of September, A. D., 1896.

My Commission expires, March 7, 1900.

J. H. Baldwin
M. H. Roberts, Notary Public.

J. L. Ledinger
June 8

Ro. White top Va

#2735

(Prunella family)

Fls. E. of 1498
at McManis
com

John Baldwin
Lilas Creek
1886

Applicants, of Witnesses
State of Va.
of Ashe-}

Before me the undersigned a
Justice of the Peace in and for the
County of Albemarle said
applicants appeared Alexander Hart
and others and in me they
have sworn that he is 24
years of age and citizen of Ashe
Co. Va. and that unusually
connected with V. R. R. R.
and is a white man for citizen
County in the Cherokee Co. Va. I. J.
and applicants state that the said
Alexander Hart is the identical
man that he is now living
and he is his explanation
for his name in said
petition. And that the said
Alexander Hart is a son of
Elizabeth Hart daughter of
Catharine Caldwell who was
a daughter of Catharine Hart
who was a daughter of a
Hartmore a full blooded
Cherokee Indian. Applicants
further state that he
knows the said A. J. Hart
35 years and knows that he
is a white man.

[Faint handwritten notes]

I have been & swim to
the end of this & day
of Aug 1896. and I
further certify that I am
well represented with
Steam Heat and know
him to be a person of Credibility
& of great activity,

Subscribed & sworn to
before me this 8th day
of Aug 1896. and I
further certify that I am
well acquainted with
Allen H. Act and know
him to be a person of Credibility
& of true veracity.

NORTH CAROLINA.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 14th day of June 1896.

P. Blevins
Clerk Superior Court.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

3319

Nation's No. 1761

Commission's No.

In re Application of

Robert D. Bond.

Demurrer and Answer.

FILED
JAN 10 1890
JAMES H. HENNON
CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabanis, and
A. B. Montgomery, Commissioners.

In the matter of application of

Robert H. Dubois

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

Her Bignion
through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hoolingo, Hoolingo & Boudin* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *July*, 1896.

J. H. Ball
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Robt W. DeLeon* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel Davis, Alfred Rice, Wm. Rice, Wm. A. Lewis, J. H. Barton*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. H. Baldwin
M. H. Davis Notary Public

My Commission Expires Mar 7th 1900

Claim
2 Robert W. Debord
to 3 Claimant
Cherokee Indian Citi-
zenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

TO *The Hon. Dawes Commission:*

Your petitioner, *Robert W. Debord*, earnestly and respectfully represents that he is *one*
thirty-second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore through *his mother Elizabeth Debord* who
was a daughter of *Ruth Phipps* who was a daughter of
Margery Hask who was a daughter of *Catherine Hask*
who was a daughter of *Ned Sizemore*, who was a Cherokee
Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Robert Winton Debord*, age *thirty-eight* years.
residence *Grayson*, in the State of *Virginia*, postoffice address *Edge-*
water County of *Grayson* State of *Virginia* occupation that of a
farmer and is a married man and the father of the
named minor children: Cora E. Debord, aged 13 years,
Walter R. Debord, aged 10 years; Laura Debord, aged 6 years,
Myrt Debord, aged 2 years.

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]

[SEAL]

STATE OF *North Carolina* } ss.
COUNTY OF *Ashe* }

Personally appeared before me, *M. C. Hask*, a Justice of the Peace
in and for said county in the State aforesaid, *Robert W. Debord*, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the *Aug.* day of *1896*.

Attesting witnesses,

[SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this *Aug* day of
1896, and I do certify that I am personally acquainted with *Robert W. Debord*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina*, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY. }

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *M. C. Hask*
Hask, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *Aug* day of *1896*.

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T,

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe, } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON,

[Signed]

WILLIAM x PRICE
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood; having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; that said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY. ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
Notary Public.

My commission expires, *Mar 27 1900*

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Carter, who after being by me duly sworn states that he is 53 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Heavensford in said County, and that he is personally acquainted with Robert W. Delore who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Robert W. Delore is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. H. Carter, day of September, A. D. 1906.

My Commission expires March 7, 1909.

#2170

No.

IN THE MATTER OF

Robert B. Lee

Claim to Citizenship in the U.S.

Section 1, T.

Do Edgewood, La.

(Sign more family)

John D. B. Lee

Edgewood

Am.

John B. Lee

Silas Lee

Am.

AFFIDAVIT OF WITNESS.

State of North Carolina
County of Wake

Before me, the undersigned, a Justice of the Peace in and for the County and State
aforesaid, personally appeared Louis who after being by me duly sworn states
that he is 77 years of age, and a citizen of Drayson County, and State of Virginia
and that he is personally acquainted with Robert W. Debow who is an applicant for
citizenship in the Musoke Nation, I. T., and affiant further states that the said Robert W.
Debow is the identical person he represents himself to be in his application for citizenship
in said Nation, and that the said Robert W. Debow is a son of
William Debow, who was a daughter of Ruth
Debow, who was a daughter of Mary, who
was a daughter of Jackson that was
was a daughter of John, who was a
Muscogee Indian of the first blood, and is the
father of Cora E.
Debow.

Affiant further states that he has known the said [redacted] for the past [redacted] years and knows that [redacted] has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having [redacted] Indian blood, and that the complexion, physical appearance, language and manners of the said [redacted] indicate that the said [redacted] is of Indian blood. That from the above facts and circumstances and from statements made to him by the said [redacted] affiant states he has every reason to believe, and does believe that the said [redacted] is of [redacted] Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said William to citizenship in the Herndon Nation, I. T., and that he is not related by blood or marriage to the said William.

Subscribed and sworn to before me this 11 day of July A. D. 1996, and I further cer-
tify that I am well acquainted with the said James E. ... and know him to be
person of credibility and of truth and veracity.

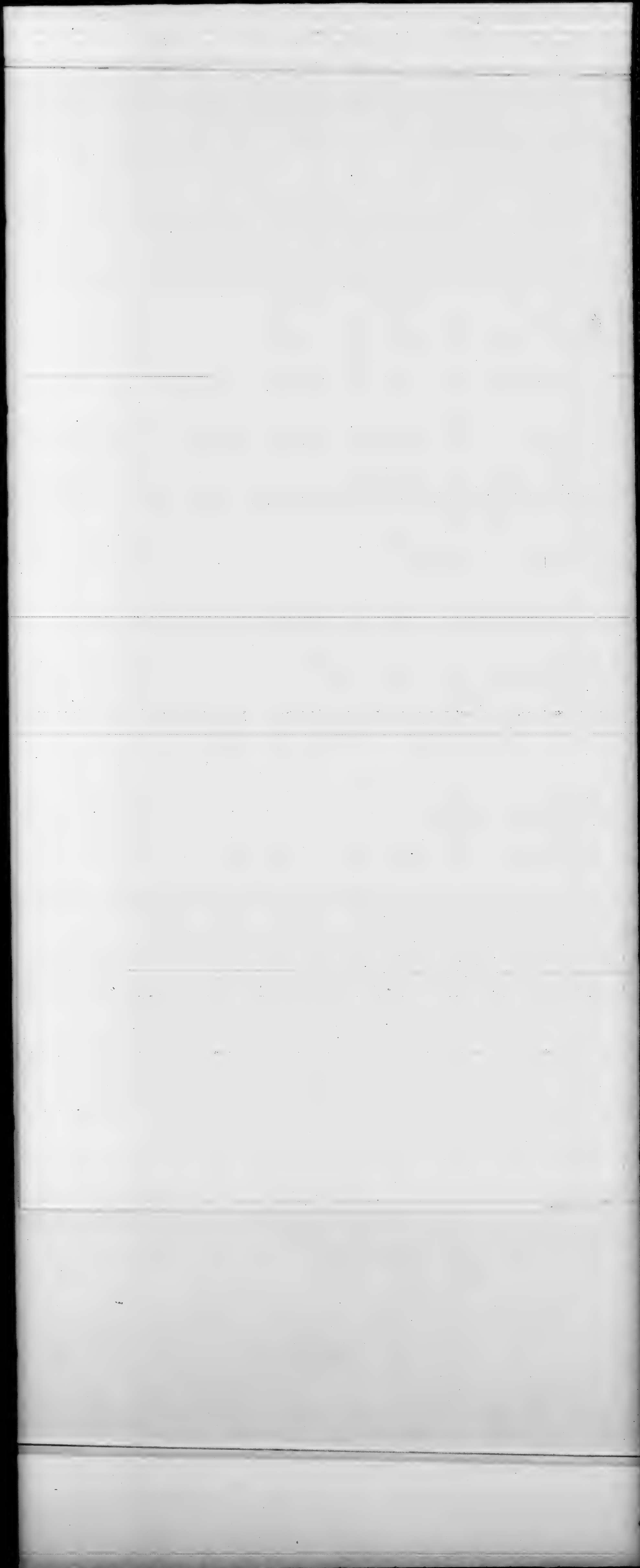
My commission expires on the day of , 1890

STATE OF NORTH CAROLINA. } ss
ASHE COUNTY.

I, **POINDEXTER BLEVINS**, Clerk of the Superior Court of said county, do certify that *M. C. ...*
H. A. ... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this *19*. day of *August*, 1896. *D. B. ...*

P. B. Lewis
Clerk Superior Court.

End



Nation's No.
Commission's No.
In re Application of

Demurrer and Answer.
93

THE UNIVERSITY OF CHICAGO

Volume No.

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10. That the Commission has not considered the parties or subject matter of this controversy, and, accordingly, the Commission is not competent to hear the same.

entitled to citizenship.

Respondent not waiting for shares to be approved, but insisting upon the same for answer to said application, to-wit: 1/18/1901

through whom the petitioner claims to derive 200 right
citizenship, at the time said Nation is not now, and has not been a citizen of the Cherokee Nation, since
the original said Nation, east of the Indian Territory as at present located and defined; that his name
is not on the roll of the citizens of said Nation; that neither he nor any of his ancestors now
reside in said Nation, and that he is not an Indian Territory citizen thereof.

S. J. MAYES, Principal Chief Cherokee Nation.

Attorneys.

John L. [unclear] Cherokee Nation, having been first duly sworn, states that the matters herein stated are true and correct, to the best of his knowledge and belief.

1896

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tanquehah, I. T., a package which contained a true copy of the application of
for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the same, to wit: *John L. Lewis, alias Rice,*
Wm. R. Lewis, alias de Lewis, J. H. Barton.

In support of same, the papers which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That I have no interest in this matter.

Subscribed and sworn to before me this, the

day of September, 1896.

M. A. Dicks Notary Public

My Commission expires Dec. 7 1900.

blinn
} Felix Davis
to } Ramon

Enrolled Indian
Citizenship

PETITION AND MEMORIAL

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Doves Commission!

Your petitioner, Felix Davis, earnestly and respectfully represents that he is one
thirty-second Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sigermon, through his mother Martha Davis, who
was a daughter of Nellie Stenon, who was a daughter
of Margery Hark, who was a daughter of Catherine
Hart, who was a daughter of said Ned Sigermon,
who was a Cherokee Indian & true full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is Felix Davis, age thirty-four years,
residence Grayson Co, in the State of Texas, postoffice address Grayson
Co, County of Ashe, State of North Carolina, occupation that of a farmer
and a married man and the father of the following
named minor children, Robert R. Davis, aged 2 years,
Felix Davis Jr, aged 7 months.

Attesting witnesses,

J. H. Barton [SEAL]
E. W. Collins [SEAL]

STATE OF North Carolina } ss.
COUNTY OF Ashe }

Most Respectfully Submitted,

Felix Davis [SEAL]
mark

Personally appeared before me, M. C. Hark, Justice of the Peace
in and for said county in the State aforesaid, Felix Davis, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in his said petition above are true as stated
therein, this the 27 day of July 1896.

Attesting witnesses,

J. H. Barton [SEAL]
E. W. Collins [SEAL]

Felix Davis [SEAL]
mark

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 27 day of
July 1896, and I do certify that I am personally acquainted with Felix Davis
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of North Carolina, and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

M. C. Hark J. P.

STATE OF NORTH CAROLINA, } ss.
ASHE COUNTY, }

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that M. C. Hark
Hark, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 12 day of August 1896.

P. Plevins
Clerk Superior Court

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

Of Felix Davis..... To Cherokee Indian Citizenship.

AFFIDAVIT OF Claimant

STATE OF North Carolina }
COUNTY OF Solih } ss.

On this, the 22 day of July, A. D., 1896, personally before me, Mr. C. Hark
....., a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared Felix Davis, aged 24 years, a resident of Spruce
county, and State of Virginia, whose postoffice is Green Creek who after
being duly sworn according to law, says that he is one thirty-second Indian by blood and
a claimant for Cherokee Indian citizenship. Affiant further says on oath that he
derives his Indian blood from his ancestor
the late Ned Siginore, a full blood Cherokee
Indian, as set forth in his Petition and
Memorial

and is a direct lineal descendant of the Siginore family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said Siginore family to be of Cherokee
Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of Cherokee Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of Cherokee Indian blood
and is an admixture of white and Cherokee and at least one thirty-second Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Attest
J. H. Barton

G. W. Collins

Subscribed and sworn to before me, this 27 day of July
A. D., 1896, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satisfac-
torily identified before me) and I verily believe him to be a credible person.

Mr. C. Hark J. P.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe, } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 76 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weavers-Ford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C. and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia, who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lydia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON, WILLIAM x PRICE,
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th day of August, A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lydia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell and said Catharine was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.

Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE,
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLEY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY,) ss.
Cherokee Nation.)

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

W. A. Lewis [SEAL]
W. A. Lewis, Notary Public.
My commission expires *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY,
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared *J. H. Baxter*, who after being by me duly sworn states that he is *55* years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is *Wilmington*, in said County, and that he is personally acquainted with *Alex. Davis*, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said *Alex. Davis* is the identical person he represents *himself* to be in his application for citizenship in said Nation, and that he has known the said applicant for the past *12* years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this *10* day of September, A. D., 1896.
M. H. Davis, Notary Public.

My Comm. expires, March 7, 1900.

#2182

v

No.

IN THE MATTER OF

John Baldwin

Claim to Citizenship

Notion, I. T.

Northway Court, N.C.

(Bogman family)

Filed Sep 8th 1896

J. S. McCann

Court

John Baldwin

Lucas Creek

N.C.

— 62 —

Before me, the undersigned, a Justice of the Peace in and for the County and State of
said, personally appeared Samuel Davis who after being by me duly sworn stated
he is 27 years of age, and a citizen of Grayson County, and State of Virginia
that he is personally acquainted with Felix Davis who is an applicant for
citizenship in the Cherokee Nation, I. T., and affiant further states that the said Felix
Davis is the identical person he represents himself to be in his application for citizenship
in said Nation, and that the said Felix Davis is of sound mind and of legal age.

James who was a daughter of Miss Spencer, is the
 was a daughter of Mr. Hager, that, who was a daughter
 of William Hager, and was a daughter of the late
 James Hager, who was a Cherokee Indian of the same
 blood, and is the father of two minor children;
 Robert H. Hager and Felix Hager, Jr.

Affiant further states that he has known the said *Helix Lewis* for the past year and knows that he has and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having *Indian* Indian blood; and that the complexion, physical appearance, language and manners of the said *Helix Lewis* indicate that the said *Helix Lewis* is of Indian blood. That from the above facts and circumstances and from statements made to him by the said *Helix Lewis* affiant states he has every reason to believe, and does believe that the said *Helix Lewis* is of *Indian* Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John J. [redacted] to citizenship in the United States Nation, I. T., and that he is not related by blood or marriage to the said John J. [redacted]

Subscribed and sworn to before me this 11 day of Aug. A. D. 1896 and I further certify that I am well acquainted with the said *James Davis* and know him to be a person of credibility and of truth and veracity.

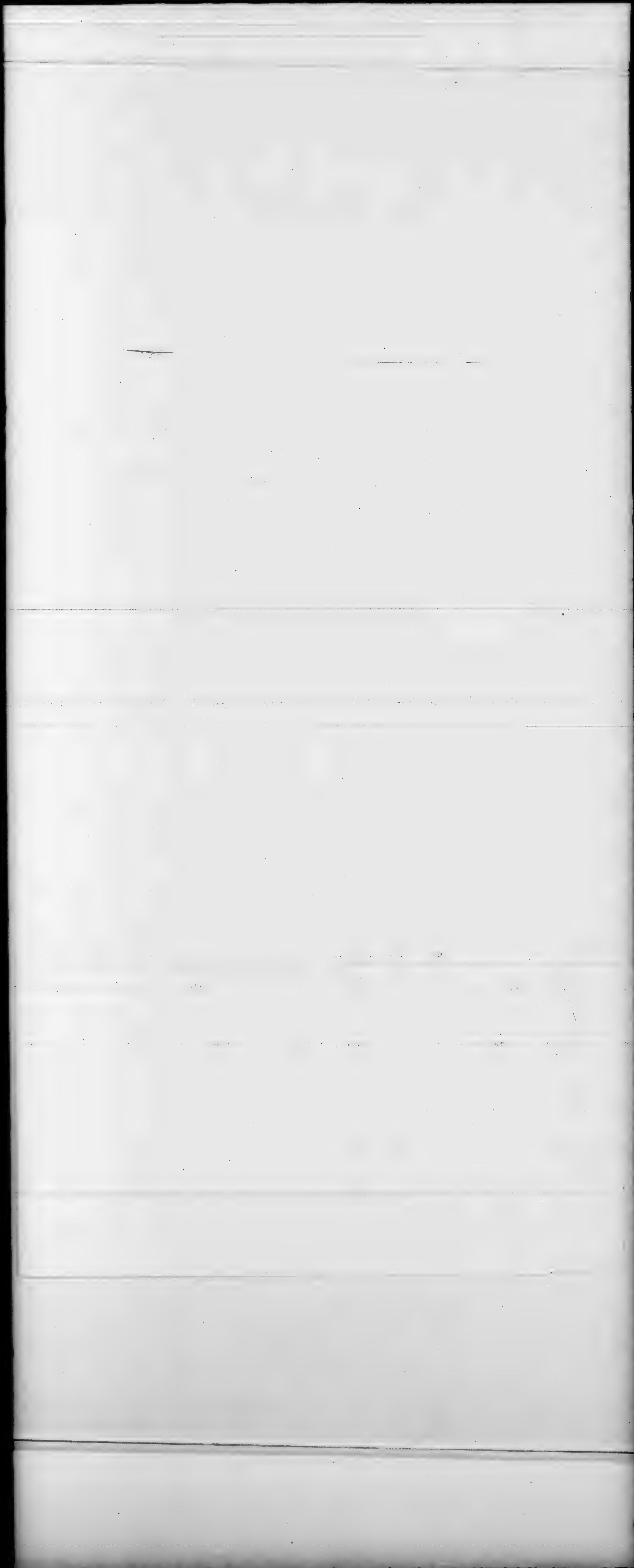
My commission expires on the _____ day of _____, 1909.

STATE OF NORTH CAROLINA,)
ASHE COUNTY,) ss.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Wm. H. Blevins Esq., whose name is signed to the foregoing certificate, was at the time of so doing Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 19 day of April 1896.

[Signature]
Clerk Superior Court

End



Nation's No. *100*

Commission's No. *100*

In re Application of

J. C. Smith

Demurrer and Answer.

23

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

See C. P. 1

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the _____ day of _____ 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Samuel D. Rice* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Samuel D. Rice, Wm. Rice, Wm. A. Lewis, J. H. Burton*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the

day of September, 1896.

J. N. Baldwin
W. D. Dobbins Notary Public

My Commission Expires Nov. 7 1900.

Clarke
Lee A. Peak
to Clamant

Charles Indian
Citizenship

PETITION AND MEMORIAL

FOR CHEROKEE INDIAN CITIZENSHIP.

TO The Hon. Senate Commission:

Your petitioner, *Ed. A. Peak*, earnestly and respectfully represents that he is *one*
Sixteenth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late
Ned Sizemore, through his mother *Jornellie Peak*, who
was a daughter to *Ed. Hart*, who was a son of *Catherine*
Hart, who was a daughter to *Ned Sizemore*,
who was a Cherokee Indian of the full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for his
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete
investigation of his claim and if the same is found to be valid and correct as herein stated, that he be allowed
all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Ed. A. Peak* age *thirty-seven* years.
residence *Grasson Co.* in the State of *Missouri* postoffice address *Mouth of*
Willcox County of *Grasson* State of *Missouri* occupation that of a *farmer*
and is a married man and the father of the following
named minor children: *Lois A. Peak* aged *12* years;
Henry A. Peak aged *10* years, *Cora Peak* aged *5* years.

Attesting witnesses,

Most Respectfully Submitted,

[SEAL]

[SEAL]

STATE OF *North Carolina*

COUNTY OF *Ashe*

Personally appeared before me, *J. C. Smith*, Justice of the Peace
in and for said county in the State aforesaid, *Ed. A. Peak*, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in the said petition above are true as stated
therein, this the *27* day of *July* 1896

Attesting witnesses,

[SEAL]

[SEAL]

Subscribed and sworn to before me, a *Justice of the Peace* as aforesaid, on this *27* day of
July 1896, and I do certify that I am personally acquainted with *Ed. A. Peak*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of
the Courts of the State of *North Carolina* and that I have no interest directly or indirectly in the
prosecution of his said claim for Cherokee Indian citizenship and am not related to him by blood or marriage.

J. C. Smith

STATE OF NORTH CAROLINA, ss.
ASHE COUNTY,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *Ed. A. Peak*,
Ed. A. Peak, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this *17* day of *August* 1896

P. Blevins
Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recognis-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hush, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HART, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, ss.
County of Ashe

Before me, the undersigned Justice of the Peace for the county of Ashe, in the State of North Carolina, personally appeared Alfred Price, aged 76 years, a resident of Ashe county, North Carolina, whose postoffice address is Waverly, N. C., who after being duly sworn, deposes and says that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the banks of Crabberry Creek, in Ashe county, N. C., that said Sizemore had come from the home of the Cherokee tribe in Western N. C., and that some years prior to the time affiant first knew him, he had been in the said tribe and was known after affiant first knew him as being a member of the tribe in Ashe county, N. C., that he had seen him and that Sizemore had a numerous family of sons and daughters, among them being one James Blevins, a son and Catharine Sizemore, a daughter, who was the mother of James Blevins, and lived in Ashe county, N. C., that said James Blevins had several sons and daughters, among them being one Lyddie Blevins, who married one Robert Hash, and that said Robert Hash had several sons and daughters, among them being one Ned Hart, who settled in Grayson county, Va., as a full blood Indian. Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 14th day of August, 1896.
Attest
J. H. BARTON, [Signed]

Sworn to and subscribed before me this 14th day of August, 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. LAYTON, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State of North Carolina, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddie Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED X PRICE, his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLEY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY,)
Cherokee Nation.) ss.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires *Mar 27* 1900, Notary Public.

Affidavit of Witness.

INDIAN TERRITORY, ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baxter, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverlyford in said County, and that he is personally acquainted with Lee A. Blake, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Lee A. Blake is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 17 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 7th day of September, A. D., 1896.
J. H. Baxter
J. H. Baxter, Notary Public.

My Commission expires, March 7, 1900.

#2192

No.

IN THE MATTER OF

John B. Baldwin

Claim to Citizenship in

Section 1-1

Po Mouth of Wilson Va.

(Original (unit 1))

Filed Sep 8th 1896

A. S. McKinnon
Comm

John Baldwin
Lias Creek

A. C.

AFFIDAVIT OF WITNESS.

STATE OF North Carolina
COUNTY OF Wayne

Before me, the undersigned, a Justice of the Peace, in and for the County and State aforesaid, personally appeared Samuel Davis, who after being by me duly sworn states that he is 77 years of age, and a citizen of Wayne County, and State of Virginia and that he is personally acquainted with Lie A. Peat, who is an applicant for citizenship in the Sherokee Nation, I. T., and affiant further states that the said Lie A. Peat is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Lie A. Peat is a son of Frankie Peat who is a daughter of George Hart, who was a son of William Hart who was a daughter of Red Sherokee Indian blood, and is the father of the following named minor children: May A. Peat, Samy A. Peat and Pera Peat.

Affiant further states that he has known the said Lie A. Peat for the past 27 years, and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Sherokee Indian blood, and that the complexion, physical appearance, language and manners of the said Lie A. Peat indicate that the said Lie A. Peat is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Lie A. Peat, affiant states he has every reason to believe and does believe that the said Lie A. Peat is of Sherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Lie A. Peat to citizenship in the Sherokee Nation, I. T., and that he is not related by blood or marriage to the said Lie A. Peat.

Attest,

Samuel Davis

Subscribed and sworn to before me, this 11 day of August, A. D. 1896, and I further certify that I am well acquainted with the said Lie A. Peat and know him to be a person of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 1896.

STATE OF NORTH CAROLINA, } ss.
Ashe County,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Samuel Davis Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 14 day of August, 1896.

P. Blevins
Clerk Superior Court.

End



Nation's No. 1785

Commission's No.

In re Application of

Demurrer and Answer.

15

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

through whom the petitioner claim to derive his right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided, in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the day of 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *James H. Allen* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Samuel Davis, 11 West Pine, 11th
Pine, 11th St Davis J. M. Barden 11th
Pine and mine

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION.
at Vinita, Ind. Ter. That saidant has no interest in this matter. 62

Subscribed and sworn to before me this, 12 day of September, 1901.

Subscribed and sworn to before me this, the 7 day of September, 1896.

W. H. Swails Notary Public

My Commission Expires Dec. 7th 1900

chain

Lucas, J. A. M. J.

Chainant

Charles G. J. A. M. J.

Chainant

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of James H. Davis To Cherokee Indian Citizenship.

AFFIDAVIT OF James H. Davis

STATE OF Nashville }
COUNTY OF DeKalb } ss.

On this, the 10th day of August, A. D., 1894, personally before me, J. L. Mc
Intendant, a Justice of the Peace in and for the county aforesaid, duly authorized to administer
oaths, appeared James H. Davis, aged 40 years, a resident of Waynes
county, and State of Georgia, whose postoffice is Lawrence, who after
being duly sworn according to law, says that he is highland Indian by blood, and
a claimant for Cherokee Indian citizenship. Affiant further says on oath that he
traces his Indian blood back to his ancestor,
the late John Simpson as set out in his
petition in memorial.

and is a direct lineal descendant of the Simpson family, whose name he believes appears
upon the census rolls, that were taken by the United States government, by blood, of the Cherokee tribe of
Indians. Affiant further says that he believes the said Simpson family to be of Cherokee
Indian blood, and were members of the Cherokee tribe of Indians.

Affiant further says he has been taught and has heard from his earliest youth that he is a descendant
of a Cherokee Indian family and that affiant has been recognized and treated by his neighbors and
the public generally as a person of Cherokee Indian blood and that from his complexion and physical
appearance he has every reason to believe and does believe that he is of Cherokee Indian blood
and is an admixture of white and Cherokee and at least one Cherokee Indian by blood.

Affiant further says the above statements are true to the best of his knowledge and belief.

Subscribed and sworn to before me, this 10th day of Aug,
A. D. 1894, and I further certify that the foregoing affidavit was read to affiant
in my presence. That said affiant is to me personally known (or has been satis-
factorily identified before me) and I verily believe him to be a credible person.

J. L. McIntendant J. J.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va.; whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

STATE OF NORTH CAROLINA, ss,
County of Ashe

Affirm states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Witness my hand this 11th day of August, A. D. 1806.

Signed:

: Kyron.

WILLIAM A. PRICE

Witness my hand and seal this 11th day of August, A. D. 1860, and I further certify that I am well acquainted with the said William H. Burleigh, and that he is a person of truth and integrity.

of the "signature" and the date must be written.

Wm. S. HASH, J. P.

"The foregoing is a copy of an address made, at the Hon. Dawes Commission, in the chain of Council, Place for consensus in the Cherokee Nation."

Office, Registrar and genuineness of signature of Justice certified by
Clerk of Court, Superior Court of County.

State of North Carolina,)
County of Ashe,) ss:

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th. 1896.

[Signed] ^{his} ALFRED A. PROCTOR
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

date first above written.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by
(Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY,) ss.
Cherokee Nation.)

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires

Wm. A. Lewis

[SEAL]

M. J. Davis

Notary Public.

Mar 27 1900

Affidavit of Witness.

INDIAN TERRITORY,) ss.
Cherokee Nation,)

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Suddern, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with Jerome Davis, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Jerome Davis is the identical person he represents him self to be in a his application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee/Indian blood.

Subscribed and sworn to before me, this 3rd day of September, A. D., 1896.
W. E. Gibbels, Notary Public.

My Commission expires, March 7, 1900.

#261

v

N.

IN THE MATTER OF

James H. Lewis

Trustee to

Charles

Pro. Aug. 1882

(Burginore family)

Filed Sept 11/82

A. M. Kemmer

Cour

John D. Williams

John D. Williams

1882

End

7

SERVICE AFFIDAVIT.

INDIAN TERRITORY.
Cherokee Nation.

I, J. N. BALDWIN, do hereby certify that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, ELWIN J. BORDENOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, a package which contained a true copy of the application of J. N. Baldwin for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of J. N. Baldwin, W. H. Hastings, Elwin J. Bordenot and Wm. T. Hutchings.

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That said affidavits are true and correct.

Subscribed and sworn to before me this 10th day of September, 1896.

J. N. Baldwin
W. H. Hastings Notary Public
My Commission Expires *Nov 14/10*

FOR CHEROKEE INDIAN CITIZENSHIP

TO

Your petitioner therefore submits to Your Honor, that the above statement of facts as grounds for his application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and complete investigation of ~~his~~ claim and if the same is found to be valid and correct as herein stated, that he be allowed all the rights, privileges and immunities of other citizens of said Nation.

Attesting witnesses,

Most Respectfully Submitted,

J. M. Baldwin. SEAL

.....[SEAL]

STATE OF N. C.
COUNTY OF Ashe

Personally appeared before me, _____, the petitioner in the above
in and for said county in the State aforesaid, _____, the petitioner in the above
petition for Cherokee Indian citizenship, of the _____ Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts and contents of said petition above are true as stated
therein, this the 6 day of _____, 1902.

Attesting witnesses:

L. Phipps J.P. [SEAL]

SEAL.

SEAL.

Subscribed and sworn to before me a Justice of the Peace for said County, on this 10th day of June 1906, and I do certify that I am personally acquainted with John A. Harris the said petitioner, and know that he is a white person and entitled to full faith and credit before any of the Courts of the State of Ark. and that I have no interest directly or indirectly in the prosecution of his said claim for Cherokee Indian citizenship and land related to him by blood or marriage.

E. Phipps J.P.

STATE OF NORTH CAROLINA.
ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do hereby certify that _____ Esq., whose name is signed to the foregoing certificate, was at the time of so doing a Justice of the Peace in and for said county and State, lawfully commissioned and sworn, that all his official acts are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of said Court, this 29 day of August, 1906.

D. B. Lewis
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BARTON, }
[Signed] WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, }
County of Ashe, } ss:

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED x PRICE.
his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, 1896.
Cherokee Nation, 1896.

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

Wm A Lewis [SEAL]
W A Lewis, Notary Public.

My commission expires, *Mar 7 1900*

Affidavit of Witness.

INDIAN TERRITORY, ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. A. Beldrum, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose post-office address is Ward, in said County, and that he is personally acquainted with J. A. Beldrum, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said J. A. Beldrum is the identical person he represents him self to be in a 20 application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him, by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 3rd day of September, A. D., 1896.
J. A. Beldrum
W. A. Beldrum, Notary Public.

My Commission expires, March 7, 1900.

#2194

26

IN THE MATTER OF

John B. O'Leary

vs.

Po. Star Creek N.C.

Dequinn family,
Asst. Manager
Comm
John B. O'Leary
Star Creek
N.C.

AFFIDAVIT OF WITNESS.

STATE OF NORTH CAROLINA, ss.
COUNTY OF _____
I, _____, the undersigned, a _____ in and for the County and State
personally appeared _____ who after being by me duly sworn states
that _____ years of age, and a citizen of _____ County, and State of _____
that _____ is acquainted with _____ who is an applicant for
citizenship in the _____ Nation, I. T., and affiant further states that the said _____
is the identical person _____ represents _____ application for citizenship
in the _____ Nation, and that the said _____ is _____

Affiant further states that _____ has known the said _____ for the past _____ years
and knows that _____ has been recognized and treated by _____ neighbors, acquaintances and the public
as a _____ person having _____ Indian blood; and that the complexion, physical appearance,
habits and manner of the said _____ indicate that the said _____
is of Indian race. That from the above facts and circumstances and from statements made to _____ by the
affiant states _____ has every reason to believe, and does believe that
the said _____ is of _____ Indian blood.
Affiant further states that _____ has no interest whatever in the prosecution of the claim of the said
to citizenship in the _____ Nation, I. T., and that
_____ is related by blood or marriage to the said _____

Subscribed and sworn to before me this _____ day of _____ A. D. 189____, and I further cer-
tify that I am well acquainted with the said _____ and know _____ to be a
person of credibility and of truth and veracity.

My commission expires on the _____ day of _____ 189____.

STATE OF NORTH CAROLINA, ss.
COUNTY OF _____

I, _____ Blevins, Clerk of the Superior Court of said county, do certify that _____
Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit; and that his signature thereto is genuine. Witness, my hand and seal
this _____ day of _____ 1896.

P. Blevins
Clerk Superior Court.

Nation's No. 1092.
Commission's No.
In re Application of

Demurrer and Answer.

25

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners

In the matter of application

Nation's No. 1092.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the ground is thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right to hear and determine the same.

2nd. That the petitioners have not stated facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not withdrawing his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that:

through whom the petitioner^s claim to derive their right
to citizenship in the Cherokee Nation is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation to the Indian Territory as at present located and defined; that his name
does not appear on the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside in the Cherokee Nation and Indian Territory, as citizens thereof.

Having no answer, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

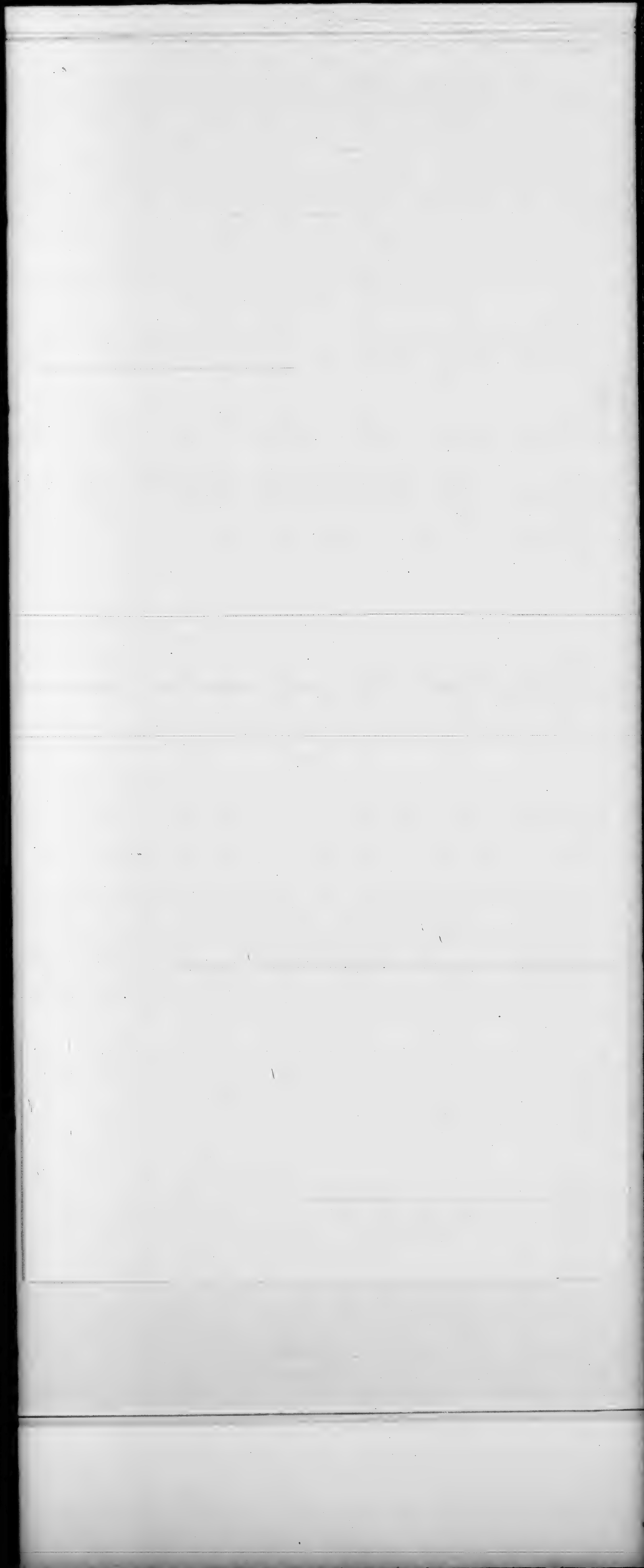
By _____ Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the _____ day of _____, 1896.

NOTARY PUBLIC.

End



Nation's No. _____
Commission's No. _____
In Application of _____

Demurrer and Answer.
41 46

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

the matter of application of

M. J. ...

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs to the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that:

through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By

Attorney.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

17th day of

1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *George Carter* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Wm. Carter, John Carter, J. N. Baldwin, Samuel Carter*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

J. N. Baldwin

Subscribed and sworn to before me this, the *7* day of September, 1896.

W. H. Davis Notary Public

My Commission Expires Mar 1st 1900

Alvin
Alice Barker
5-3 Clearmont
Arrested Indian Citizenship

PETITION AND MEMORIAL.

FOR CHEROKEE INDIAN CITIZENSHIP.

To the Hon. Indian Commissioner;

I, Alice Barker, earnestly and respectfully represents that she is one
hundred percent Cherokee Indian by blood, deriving the same from her lineal ancestor, the late
Red Sigmone through her mother Nancy Jones who was a daughter of
a daughter of Moses Jones who was a daughter of William
Hart who was a daughter of said Red Sigmone,
who was a Cherokee Indian - Full blood

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of the same and if the same is found to be valid and correct as herein stated, that she be
allowed the rights, privileges and immunities of other citizens of said Nation.

Petitioner's name Alice Barker age twenty - two years
born in the State of North Carolina postoffice address Silas Creek
County of Ashe State of N.C. occupation that of a housewife
and the mother of one infant child, Edna
Barker age 1 year

Attesting witnesses.

Most Respectfully Submitted,

[SEAL]

Alice Barker [SEAL]

State of North Carolina

County of Ashe

Personally appeared before me, John L. Davis, Justice of the Peace
in and for said county in the State of North Carolina, Alice Barker, the petitioner in the above
petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated
therein, this the 17 day of July 1896

Attesting witnesses.

John L. Davis [SEAL]

[SEAL]

Subscribed and sworn to before me, a Justice of the Peace as aforesaid, on this 17 day of
July 1896 and I do certify that I am personally acquainted with Alice Barker
the said petitioner, and know that she is a credible person and entitled to full faith and credit before any of the
Courts of the State of North Carolina and that I have no interest directly or indirectly in the pro-
secution of her said claim for Cherokee Indian citizenship and am not related to her by blood or marriage.

John L. Davis

STATE OF NORTH CAROLINA } ss.
Ashe County.

POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that J. L. Davis, Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 17. day of August 1896.

J. P. Blevins
Clerk Superior Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va.; whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina; or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

C. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, /
County of Ashe, / ss:

On the 11th day of August, A. D. 1896, I, Alfred Price, Justice of the Peace, in and for the County of Ashe, State of North Carolina, personally knew and conversed with William Price, a resident of the County of Ashe, State of North Carolina, who after being duly sworn, stated that he was born and raised in Ashe County, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe County, N. C., and that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Va., some seven years prior to the time said first knew that he often went back to where said tribe was located after which first knew him but finally left his home in the County, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, a full blood Indian and personally knew that said Owen Sizemore had a daughter, Lydia, who married one James Bayliss, and lived in Ashe County, N. C.; that said James and Lydia Bayliss had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Bayliss and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. line; Ned Hart, who settled in Ashe County, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian and he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe County, N. C., and Grayson County, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation, given this 11th day of August, 1896.

his
ALFRED A. PRICE,
mark.

Subscribed and sworn to before me this 11th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) L. HARTY, J. P.

(The foregoing is a copy of an affidavit sworn to by the Hon. Dawes Commission in the claim of Owen Bayliss for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature and office certified by Clerk of court under seal of court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, /
County of Ashe, / ss,

Before me, the undersigned Justice of the Peace, in and for the County of Ashe, in the State aforesaid, personally appeared William Price, aged 60 years, a resident of Ashe County, State of North Carolina, whose post-office address is Weaversford, N. C., who after being duly sworn, states that he was born and raised in Ashe County, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe County, N. C., and that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Va., some seven years prior to the time said first knew that he often went back to where said tribe was located after which first knew him but finally left his home in the County, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, a full blood Indian and personally knew that said Owen Sizemore had a daughter, Lydia, who married one James Bayliss, and lived in Ashe County, N. C.; that said James and Lydia Bayliss had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Bayliss and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. line; Ned Hart, who settled in Ashe County, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian and he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe County, N. C., and Grayson County, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation, and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest (Signed) his
J. H. BAYLIS, WILLIAM A. PRICE,
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price, and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
(Signed) M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Owen Bayliss for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, 1896.
Cherokee Nation, 1896.

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory, William A. Lewis, aged
seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, affi-
ant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Wagoner enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been so enrolled and who married Catharine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Siz-
emore had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires

W. A. Lewis
W. A. Lewis
March 1900

[SEAL]

Notary Public.

Affidavit of Witness.

INDIAN TERRITORY,) ss.
Cherokee Nation.)

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. F. Seldman, who after being by me duly sworn, states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Wind, in said County, and that he is personally acquainted with Wm. B. B. B., who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Wm. B. B. B. is the identical person he represents his self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 20 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, the 5th day of September, A. D., 1896.
J. F. Seldman, Notary Public.

My Commission expires, March 7, 1900.

#2134

No.

IN THE MATTER OF

John B. Baldwin

Claim to Citizenship in the U. S. A.

Naturalized in

By John B. Baldwin U. S. A.

(Signature of John B. Baldwin)
Filed Sept 8th 1896
John B. Baldwin
Comm

John B. Baldwin
John B. Baldwin
John B. Baldwin

AFFIDAVIT OF WITNESS.

James L. ...
James L. ...
 in and for the County and State of *Virginia*
 who after being by me duly sworn states
 that he is acquainted with *Alice Barker*
 who is an applicant for
 Naturalization, and affiant further states that the said *Alice*
Barker is a person who represents herself to be in her application for citizenship
 that the said *Alice Barker* is a daughter of *Henry*
and is a daughter of Henry and his wife
Mary Hark who was a daughter
 of *Henry* who was a daughter of *Med* *Seige*
and was a Native Indian of the full blood;
and is the mother of one infant child, Edna
Barker

That he has known the said *Alice Barker* for the past 20 years
 and has been recognized and treated by his neighbors, acquaintances and the public
 as a *Native Indian*, and that the complexion, physical appearance
 of the said *Alice Barker* indicate that the said *Alice Barker*
 is of the *Native Indian* race and from statements made to him by the said
Alice Barker affiant states he has every reason to believe, and does believe that the said
Alice Barker is of *Native Indian* blood.
 Affiant states that he has no interest whatever in the prosecution of the claim of the said *Alice*
Barker for admission to the *United States* Nation, I. T. and that he is not related
 by blood or marriage to the said *Alice Barker*
 and that he is sworn to before me this *11* day of *August*, A. D. 1896, and I further cer
 tify that I am well acquainted with the said *Alice Barker* and know her to be
 of the *Native Indian* race and of truth and veracity.

My commission expires on the _____ day of _____, 1896

STATE OF NORTH CAROLINA, ss.
 ASHE COUNTY,

I, *POINDEXTER BLEVINS*, Clerk of the Superior Court of said county, do certify that *James L. ...*
James L. ..., Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court, this *17* day of *August*, 1896.

P. Blevins
 Clerk Superior Court.

End

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SERVICE AFFIDAVIT.

INDIAN TERRITORY.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of *Low G. Kelly* for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *myself, Saml. Lewis, Alfred Rice, Wm. Rice, Wm. A. Lewis, J. H. Patton*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, *4th* day of September, 1896.

W. H. Roberts Notary Public

My Commission Expires Mar 7th 1900

Claim
to 3/4 Chas C. Kelly
3/4 William and
Christie Indian (Eliz. ship)

FOR CHEROKEE INDIAN CITIZENSHIP.

Your petitioner, Anna C. Kelly, earnestly and respectfully represents that she is Black

And Sig. was through for me the female Davis who
is a daughter of Anne Green, who was the daughter of
Robert and Mary Ann H. H. the father of whom was the daugh-
ter of James's father. The father of whom was the
daughter of said And Sig. was a white
Indian by the first blood.

Petitioner's full name is Barbara Lita age thirty-eight years
residence 401 E. 100, in the State of N.C., postoffice address W. E. G. R. S. P.
County of Wake State of North Carolina occupation that of a housewife

Most Respectfully Submitted,

Corr. E. Kelley

County of San Diego

In and for said county in the State aforesaid, 1908, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being

and I, the undersigned, being duly sworn according to law, depose and state that the facts set forth in the said petition above are true as stated.

Attesting witnesses

022 E. K. 1004

.....

..... [SEAL]

Subscribed and sworn to before me, a Justice of the Peace in and for the County of San Diego State of California, at and on the 13 day of February 1891, and I do certify that I am a Justice of the Peace in and for the County of San Diego State of California.

the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the

Courts of the State of North Carolina, and that I have no interest directly or indirectly in the pros-

cession of his said claim for Cherokee Indian citizenship and are not related to him by blood or marriage.

STATE OF NORTH CAROLINA, } ss
 ASHE COUNTY, }

1 POINDEXTER BREVINS, Clerk of the Superior Court of said county, do certify that *M.C.*

Hush Esq. whose name is signed to the foregoing certificate, was at the time of so doing &

Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts

are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of

said Court, this 19 day of August, 1896.

.....
Clerk Superior Court.

D. B. Davis
Clerk Superior Court.

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM.

... *ma so Henry* ... To Cherokee Indian Citizenship.

AFFIDAVIT OF

State of North Carolina

COUNTY OF San Diego

On this, the 13th day of May A. D. 1896, personally before me, J. A. [Signature]

oaths, appeared John C. Kelly aged 23 years a resident of St. Louis

County, and State of North Carolina, whose postoffice is Wilmington, who after being duly sworn according to law, says that she is free & single Indian in 1872 and

a claimant for British Indian citizenship. A Hunt further says on Oct. 1 that he is visiting
 in London and from his observation that a
 of Singapore is not possible in a British
 Member.

and is a direct descendant of the Sagoyewew. [Sagoyewew] was born, as numerous affidavits
on the census takers, that were taken by the United States Government, at about the Indian tribe
tribes. After further says that he believes the said Wichita people are a different
human blood and were remnants of the White type of human.

A third letter says, "he has been taught and has learned from his business people that there is a distinction between a Chinese and a foreign Indian family and that white has been recognized and treated as a foreigner and the Chinese as a person. He has learned and that white is a companion and person of peoples and has every reason to believe and does believe that he is a Chinese and is an admirer of the white and Chinese and at least one family and Indian is needed."

Affiant further says the above statements are true to the best of his knowledge and belief.

A. D. 1891, and further certify that the foregoing affidavit was read to said affiant in my presence. That said affiant's true personal known name has been satisfactorily identified before me and I verily believe it to be a creditable person.

Nation's No.

Commission's No.

In re Application of

W. C. Kelly

Demurrer and Answer.

93

Before the Honorable, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs to the
said application on the grounds thereof as:

1st. That the Commission has not jurisdiction over the parties or subject matter of this controversy.
2nd. That the application does not state its substance, if true, to show that the applicant

Respondent, not making a substantial demurrer, but insisting upon the same for answer to said applica-
tion, says that *John L. Smith*

through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is and now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation west to the Indian Territory is at present located and defined; that his name
is not on the roll of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside in the Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

John L. Smith & Co. Attorneys.

John L. Smith, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this *10th* day of *April* 1896.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T. '

STATE OF NORTH CAROLINA, } ss,
County of Ashe }

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose postoffice address is Grassy Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Margery who married one Robert Hash and settled in Grayson county, Va., near the N.

Co. and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weyersford, N. C., who, after being duly sworn, states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him; that he often went back to where said tribe was located after affiant first knew him; that finally, under his name in Ashe county, N. C., where he subsequently died, said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, affiant well and personally knew; that said Owen Sizemore had a daughter, Lydia, who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va. and N. C. State line. Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest J. H. BAYLON, [Signed] WILLIAM X PRICE, his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelie Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] ALFRED X PRICE, his mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Watford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been so enrolled and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1896.

My commission expires, *Mar 7 1900*

[SEAL]

Notary Public.

Affidavit of Witness.

INDIAN TERRITORY, ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Barton, who after being by me duly sworn states that he is 55 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Waverly in said County, and that he is personally acquainted with Cora E. Kelly, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Cora E. Kelly is the identical person she represents herself to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 12 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, this 3 day of September, A. D. 1900.

My Commission expires, March 7, 1900.

J. H. Barton
Notary Public

257
#2199

21

No.

IN THE MATTER OF

ora to being

to citizenship in

Section 11

to Women for

(Seymour family)

Filed Oct 8th 189

Asst. Comm.

Clare

John Edwin

Titus

HC

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COUNTY OF San Diego)
 ss. I, John A. Jones,)
 County Clerk, do hereby)
 certify that the foregoing)
 is a true and correct)
 copy of the original)
 filed in my office this)
 11th day of June, 1911.)
 In testimony whereof, I)
 have hereunto set my)
 hand and the seal of)
 said County, at San)
 Diego, California, this)
 11th day of June, 1911.)
 John A. Jones,)
 County Clerk.)
 Seal of County of San Diego,)
 California.)

Before me, the undersigned authority, on this 10th day of June, 1917, in and for the County and State of Mississippi, personally appeared James H. Davis, who after being by me duly sworn, stated that he is 77 years of age, and a citizen of Hayson County, and State of Mississippi, and that he is personally acquainted with John B. Lewis, who is an applicant for citizenship, in the United States Nation, I, T. and affiant further states that the said John B. Lewis is the identical person who represents himself in his application for citizenship in said Nation, and that the said John B. Lewis is a competent person.

Affiant further states that he has known the said Mrs. E. J. Kelly for the past 20 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Indian blood, and that the complexion, physical appearance, language and manners of the said Mrs. E. J. Kelly indicate that the said Mrs. E. J. Kelly is of Indian blood. That from the above facts and circumstances and from statements made to him by the

Affiant further states that he has no interest whatever in the prosecution of the claim of the said _____ to citizenship in the _____ Nation, I. T., and that he is not related by blood or marriage to the said _____.

Subscribed and sworn to before me, this 11th day of Aug., A. D. 1906, and I further certify that I am well acquainted with the said Jennett Harris and know her to be a person of credibility and of truth and veracity.

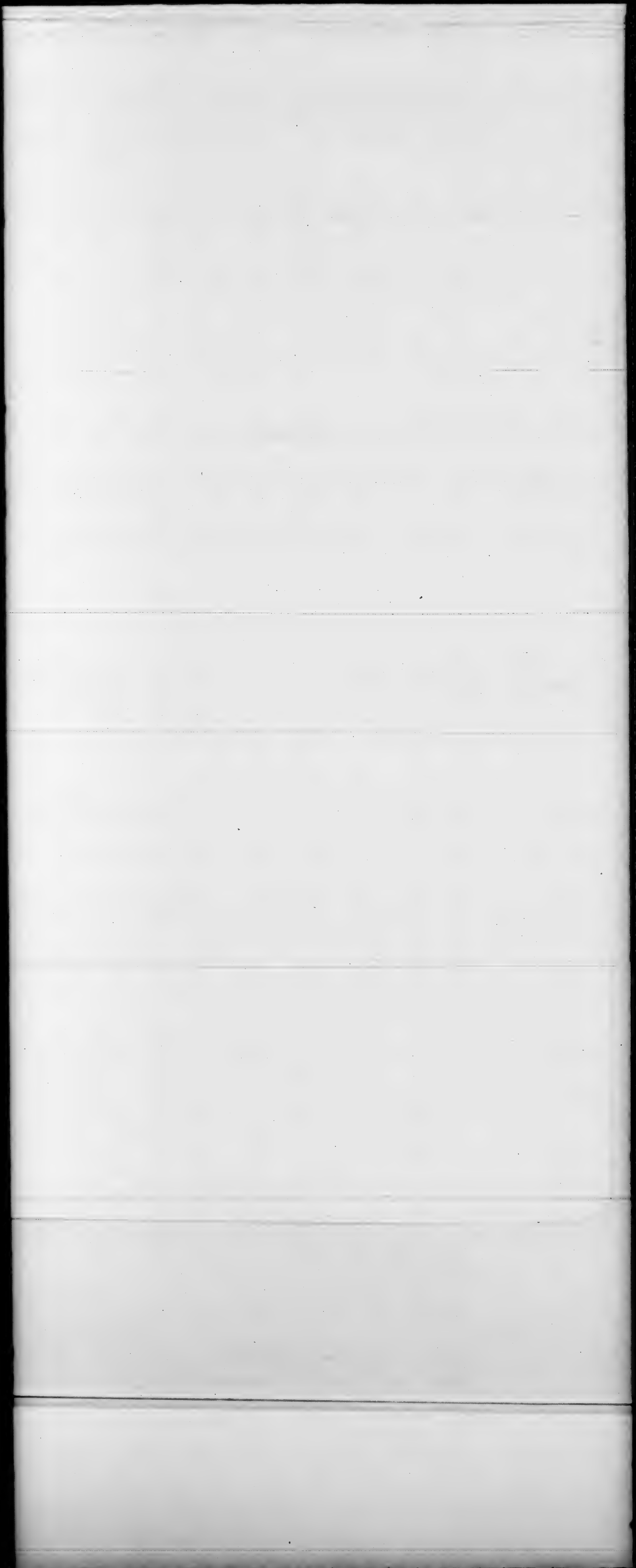
My commission expires on the _____ day of _____ 18__

STATE OF NORTH CAROLINA,)
ASHE COUNTY,) ss

1. POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that *John C. ...*
John C. ..., Esq., whose name is signed to the foregoing certificate, was at the time of so doing
 Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
 are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal
 said Court, this *17* day of *October*, 189*6*.

P. Blvin
Clerk Superior Court.

End



3326

Jackson Stamps
J. J. Stamps
Rhoda Davis,
et al

Cherokee Nation

This case was briefed
wrong by the attorney
in the case. (T. H. Jones)

He says he will have
requisition forwarded
for same. He has
been calling for the
J. J. Stamps case,
which did not appear
on face of application

UNITED STATES OF AMERICA,
Indian Territory,
District

being duly sworn states that he has this
day forwarded by registered mail evidenced by the registry receipt of
postmaster at Indian Territory to
Principal Chief Nation,
a true and perfect copy of the same for admittance and enrollment by the Dawes Commission,
to citizenship in the said Nation of

REGISTRY RECEIPT.

Post Office at

Registered Letter / Parcel No. 248 Rec'd. 189

of

addressed to

J. J. Foster
J. J. Stamps
Paul Mayo
Tahlequah
M. A. Potter P. M.

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c., hereto
attached, to be used in support of said petitions

Subscribed and sworn to before me this

day of

189

For William
NOTARY PUBLIC.

Nation's No.

3362

Commission's No.

In re Application of

J. J. Hamps

Demurrer and Answer.

FILED 28 NOV 1906 ☆

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
J. J. Adams

Nation's No. *3362*

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

Rhoda Davis

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Hartung & Bondurant* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this *6* day of *Feb* 1896.

NOTARY PUBLIC.

Police of the

Petitioner.

NS/65

Solaris Public

No

APPLICATION OF

Amey & Strong

Enrollment in *1871* Station

Filed at the *1871* No.

Not a State of the

Attorney for Petitioner

CAPITAL PRINT. South Carolina

Subscribed and sworn to before me, this 30 day of July 1871.

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes at Muskogee

1941. 11.
PUBLISHED BY

APPLICANTS BY AGE, SEX, RACE, AND ENROLLMENT

National Institute of Technology
Kharagpur, India

TO THE ABOVE MENTIONED HONORABLE COMMISSION

Young people are more - as Alice Evans

[illegible]

Nation or Tribe of Indians, and that the name of the said _____ appears, _____
or should appear upon the authenticated rolls of the said _____, _____
_____ of the year 1842

That petitioners ^{are} ~~is~~ legal descendants of the said ~~9-1000~~ ~~1-1-1-1~~ to-wit:

Khoda & some stamps and
a son & daughter stamps was
Khoda & some stamps. The stamps was
written down and added to the James I
per & set stamps. The stamps was
written down. The stamps was written down
The son and daughter. The stamps

That under the constitution, laws, usages and customs of the said State of Alaska Nation or Tribes of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Chenike Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities Chenike Indians are entitled to.

That there are now living legal descendants of your said petitioner

[illegible]

Wherefore, the premises considered, your petitioner prays that the name, with those of

said descendants to wit: *Walter 23 Stumps* *James 2 Stumps*
Attie May 5 Stumps *Geo E 5 Stumps* *John 5 Stumps* *John 5 Stumps*
John 5 Stumps *John 5 Stumps* *John 5 Stumps* *John 5 Stumps*
 and *John 5 Stumps* *John 5 Stumps* *John 5 Stumps* *John 5 Stumps*
 the enrolled and claim to all the rights, benefits, privileges
 and immunities of other *Cherokee* Indians in and to the *Cherokee* Nation
 or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

J. H. [Signature]
 ATTORNEY FOR PETITIONERS

The above named petitioner *Walter 23 Stumps* and the state
 wants set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Charles H. H. H.
 Petitioner

Subscribed and sworn to before me this 10th day of [Month] 190[Year]

[Signature]
 Notary Public

CAPITAL PRINT, SOUTH ATLANTA 11.

Attorney for Petitioner.

See U. S. Code, Title 18, Section 1161.

Filed on the _____ day of _____ 190____
 Location in _____ Nation
 Application of _____
 to _____
 No. _____

AFFIDAVIT FOR CHEROKEE CITIZENSHIP.

Ojogah

Notary Public
Jackson Stamps

70
I, the undersigned, do hereby certify that the above named person is a native born citizen of the State of Georgia, and is entitled to the rights and privileges of citizenship.

Witness my hand and seal this 1st day of August, 1877.

Notary Public

My commission expires the 1st day of February, 1879.

Attest:

My commission expires the 1st day of February, 1879.

Notary Public

Attest:
(Edwin Watson
William Sykes

his
major
August 1st
James F. Reed
Notary Public
Comm. Expires Feb 9/1879

}

TOWNSEND N. FOSTER,

ATTORNEY-AT-LAW.



South M. A. Foster, I. T.,

189

Allice Adams being first duly sworn upon her oath
says I am a Cherokee Indian by blood and reside
at South M. A. Foster, Ind. I am the wife of Harvey
Adams, I am 35 years of age, I am the daughter of
James Adams the grand daughter of Nathan
Adams and the great-grand-daughter of Rhoda
Davis all of whom were of Cherokee Indian blood.
I have always been taught by my parents and
grand parents that we were Cherokees. The
names and ages of my brothers and sisters &
of my children are correctly stated in
our petition. Alice Adams

Subscribed and sworn to before me this
30 day of July 1846

W. H. Foster
Notary Public

Appointed at
April 21 for
Stacy Davis
to citizen his in
the Cherokee Nation

Refracted glass
of the same white
in Rhode Island
in the same light
in the same light

134

Received of the
 Clerk of the Court
 the sum of \$100.00
 for the purpose of
 paying the balance
 of the debt of the
 estate of the late
 John A. White
 deceased
 to the said Clerk
 of the Court
 in full of the
 same
 and the receipt
 of the said Clerk
 is hereby acknowledged
 by the undersigned
 Executor of the
 last will and
 testament of the
 said John A. White
 deceased
 to wit:

J. H. Fletcher
 Executor of the last will and testament of the said John A. White deceased
 Subscribed to before
 me on this the 27 day of Sept 1893
 B. G. Fletcher
 Clerk of the District Court

ORIGINAL -
 IN AVAILABLE COPY

For the
Tampa
Baptist Mission

Feb 27 - 7-1894
S. McKinnon
Tampa

APPLICATION FOR CITIZENSHIP.

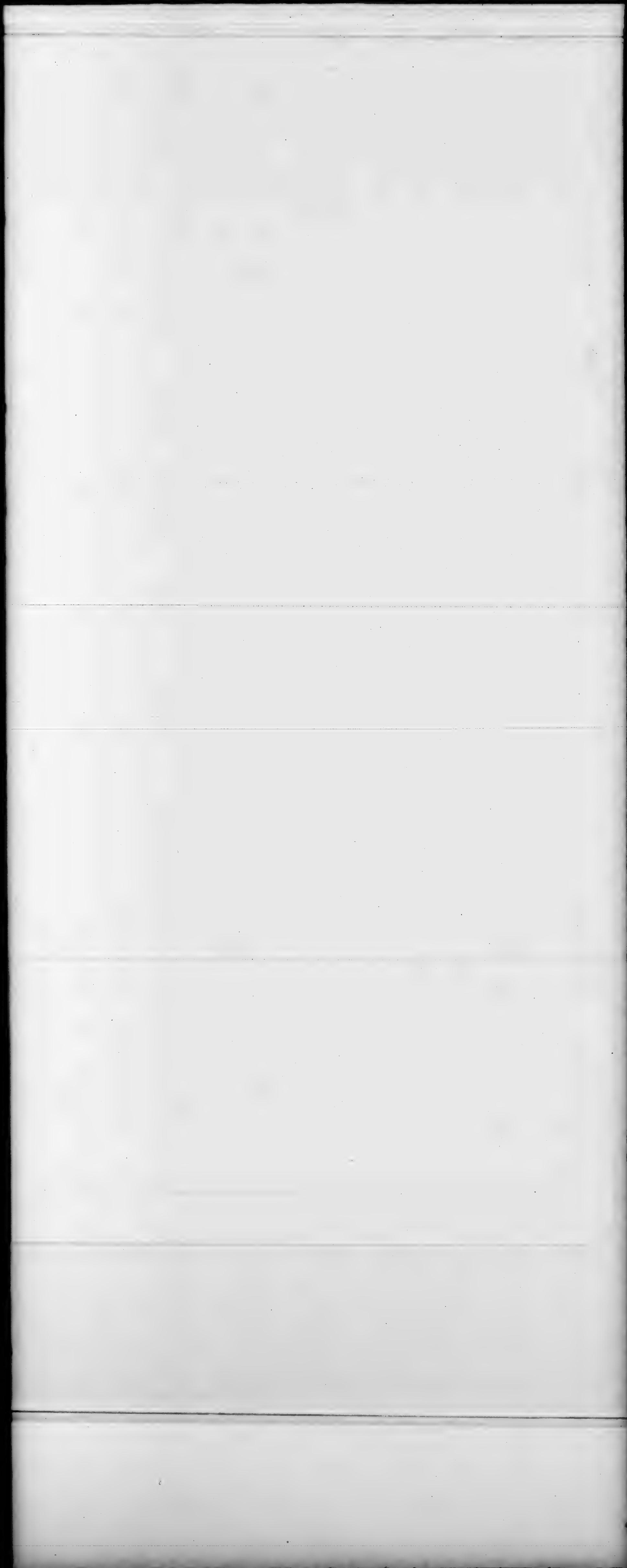
To the Honorable National Council

The undersigned hereby certifies that the above is a true and correct copy of the original as the same appears in the records of the Cherokee Nation.

Finally, with their most auspicious intentions

Leorn B.
1893 at Bosh

End



Registered Letter } No. 735 Post Office CHATTANOOGA, TENN.

This space is reserved on counterpane
for particulars connected with dispatch
of registered piece.

Received _____, 189____ from
Anglin Thomas
addressed *Hon. H. H. Mayo*
Chief of Cherokee Nation
Tahlequah
Ind. Ter
P. M., per *Q*

State of Tennessee

Hamilton County, I, H. C. Beck of said State and County, do

solemnly swear that on the 2nd day of September, 1896, I saw a
package registered at the Post-office at Chattanooga, Tenn., ad-
dressed to "Hon. S. B. Mays, Chief of the Cherokee Nation, Tahlequah,
Ind., Ter." and that registry receipt No. 734 received from Post-
master hereto attached is a receipt for said package, which con-
tained true copies of the application of Austin Thomason and of
the affidavits of James William Myers, Mattie Lock and Mary
Saletree in support of the same.

.....*H. C. Beck*.....

Subscribed and sworn to before

me on this 3rd day of September, 1896.

.....*J. H. Hoag*.....

Notary Public for Hamilton County, Tenn.

**TITLE GUARANTY AND TRUST CO.,
CHATTANOOGA ABSTRACT CO.,**

619 WALNUT ST. TELEPHONE 392.

TITLES GUARANTEED. ABSTRACTS PREPARED.
ALL KINDS OF CONVEYANCING DONE.

HAS FULL POWER TO ACT IN ANY TRUST CAPACITY.

TAXES PAID FOR NON-RESIDENT PROPERTY OWNERS.

H. O. BECK, PRESIDENT.
PROSPER LAZARD, VICE-PRESIDENT.
J. K. HODGES, SECY AND TREAS.
L. M. DOLEMAN, SOLICITOR.

H. O. BECK,
L. B. HEADRICK, } ABSTRACTORS.
W. S. BECK,

W. S. BECK, MGR. ABSTRACT DEPT.

CHATTANOOGA, TENN.,

3rd Sept., 1896.

Hon. Henry L. Daves & Co.,

Indian Commissioners.

Winita, Ind. Ter.

Gentlemen:

I herewith enclose my application for enrollment. I
also have mailed by registered letter to Hon. S. W. Mays, Chief
of Cherokee Nation, Winita, Ind. Ter., a true copy of said
application.

I herewith also enclose an affidavit of H. O. Beck, who saw
said register mailed, to which affidavit is also attached the Per-
istry receipt.

I hope everything is now in the form and satisfactory.

Very Respectfully Submitted,

Attest
H. O. Beck

Augustus Thompson

Nation's No. 74
Commission's No.
In re Application of

William F. McKennon

Demurrer and Answer.

FILED SEPT. 4 1896

A. S. McKENNON

COM' R

Before the Honorable, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners

In the matter of application of

Nation's No. 34 / 72

Commission's No.

for citizenship in the Cherokee Nation

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent, for a more full and complete answer, but insisting upon the same for answer to said appli-
cation, says that

through whom the petitioner claim, to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having this answer, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *S. H. Mayes* Attorneys

John L. Atlar, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

day of

1896.

NOTARY PUBLIC.

Nation's No. 2182
Commission's No.

In Application of

Carolina Thomson

Demurrer and Answer.

FILED 25 1891
JAN 25 1891
U.S. DISTRICT COURT
SOUTHERD DISTRICT OF NEW YORK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners

In the matter of application of
Arden Thompson et al Nation's No. *2132*
Commission's No.

for citizenship in the Cherokee Nation

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the following reasons:

1st. That this Commission is not the proper tribunal for the parties or subject matter of this controversy,
and no legal right is involved in the same.

2d. That the applicant has failed to show that the applicant
entitled to citizenship.

Respondent now, by *H. Ainsworth Gordon* appearing upon the same for answer to said appli-
cation, says that

that the petitioner claim to derive *this* right
to citizenship in the Cherokee Nation, since he has not been a citizen of the Cherokee Nation, since
the removal of said Nation to the present location, located and defined; that his name
does not appear on the roll of the Cherokee Nation, that neither he nor any of his ancestors now
reside, or ever had a residence, in the Cherokee Nation, as claimed thereon.

Having fully answered your petition, it asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings Bartley & Bondurant* Attorneys.

John L. Adair, Executive Secretary Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this 11th

day of *Sept*, 1896.

NOTARY PUBLIC.

**TITLE GUARANTY AND TRUST CO.,
CHATTANOOGA ABSTRACT CO.,**

619 WALNUT ST.
TELEPHONE 392.

TITLES GUARANTEED. ABSTRACTS PREPARED
ALL KINDS OF CONVEYANCING DONE.
HAS FULL POWER TO ACT IN ANY TRUST CAPACITY.
TAX SEARCHES A SPECIALTY

H. C. BECK, PRESIDENT.
PROSPER LAZARD, VICE-PRESIDENT.
J. K. HODGES, SECY AND TREAS.
L. M. COLEMAN, SOLICITOR.

H. C. BECK,
L. B. HEADRICK, ABSTRACTORS.
W. S. BECK,

W. S. BECK, MGR. ABSTRACT DEPT

CHATTANOOGA, TENN., *Aug 1896*

Gen. C. W. L. Lantz
Indian Commissioner.

I herewith submit my applica-
tion for Enrollment and proof thereof. I have
also given to the Civil Indian Registry
at Tahlequah Indian Territory a copy
of said application and proof

Respectfully submitted

W. S. Beck

W. S. Beck

No

PETITION OF

for and on behalf of

and heirs

*Hubbard, Garland
and Watts.*

Attorney for Petitioner.

(GENTLEMEN: The undersigned, your petitioner, *Austin Thomason*

the depositors of Jacob William Byers, Walter
Lock and Henry Ogletree

Witnessed and tried.
Attest *Edw Beck*

Respectfully Submitted,

Austinth Thomson

Enrollment of family, with relationship attached, as follows:

| NAMES. | AGE. | RELATIONSHIP. |
|--------------------|------|------------------------|
| Austin Thomason | 55 | |
| Jefferson Thomason | 31 | Son of Austin Thomason |

In witness of which I hereunto set my hand on this 20 day August 1890

Attest *H. B. Cox*

Austin^{li} T. Formason
neak

Sworn to before me this 2
Sept 1896 J. H. Beck

Sept 1896 *Ed Beck*
Notary Public Hamilton Co. Minn.

In relation to the application of Austin
H. as an citizen ship and enroll-
ment in the Cherokee Nation under
Act of Congress of the United States made
and provided

In support of said Application Affli-
cant submit the following Statement
of facts

1st His grandmother Daise Goodlow was a
full blood Cherokee Indian. She lived
in Jackson County Alabama and
near the Tennessee River

2nd His mother was a daughter of said
Daise Goodlow was a half blood Cherokee
Indian her name was Millie Goodlow.
She changed her name to Maddox

3rd Applicant was about 8 years old when
his mother died. His information is
that his mother was a slave, or lived with
or under the owner of her husband,
applicant's father who was a slave, that
whatever slave right or title existed
was transferred from Goodlow to John
Maddox of Calhoun County Ala, that
when Maddox died, applicant was taken
to Merion Thomason in Talladega
County Ala. He was called by Merion
Thomason - the Indian boy - & he
often said applicant never cost
him anything

4th Applicant has one son named
Jefferson Thomason in whose

by which he also makes Application
for Enrollment

4th Applicant submits herewith
the affidavits of Jacob & William
Byer, Mattie Fox & Mary Oglo
in support of his application
attest

Austin ^{his} Thompson
notary

H. B. Beck

State of Tennessee, this day personally appeared
Hamilton County, Austin Thompson and being
duly sworn according to law that the
facts stated are true. I further certify
that I have no interest direct or indirect
in the result of this claim. This 2nd Sept
1896

H. B. Beck
Notary Public

State of Tennessee Deposition of Mary
Karrington County 3 Oglethorpe in relation
to the application of Austin Thompson
for citizenship in the Indian Territory

1 What is your name, age and residence
Ans My name is Mary Oglethorpe, thirty, Eighty four
old and reside at 132 East Second St
in Chattanooga Tenn.

2 When did you formerly reside, and
how long have you known Austin
Thompson

Ans I was born and raised in Dallas Co
County Ala and have known Aus-
tin Thompson since about
1864 or near the close of the war

3 How near was you raised to the
place where Austin Thompson was
raised & who did he live with,

Ans In about 3 miles of his white people
he lived with Marion Thompson

4 Is Marion Thompson living or
dead

Ans He is dead.

5 What do you know about the claim
that Austin Thompson is part
Indian

Ans I have heard my father David Oglethorpe
& my grandfather Turner Oglethorpe
say that he was part Indian and
that they were acquainted with
his mother and that she was
part Indian. From this information

and from hearing Mr & Mrs Thomas
on say that he was part Indian
I always regarded him as part
Indian. I have heard Mr Thomas
say that Austin never could have
anything as he was the Indian
boy.

Q Is your father and grandfather
living or dead?

Ans Both dead

Q Are you acquainted with
Mattie Fox, who is before you
has been taken out in application
+ of so what is her reputation
for truth & veracity?

Ans I have known her all my life
she belonged to my mother &
I raised her in my infancy
she is now very old and has
always regarded as a good
truthful woman.

Subscribed & sworn
before me this 25 day of
August 1896

Edw. D. Cox
Notary Public in
Harrison County Texas

1548
No 414

Arthur Thomson

Merika Nation

Filed Sept 5, 1896

S McKinnon
Comm

Report

ha 46 20070

Am



Chattanooga, Tenn. Aug. 15, 1896.

Mr. H. H. [illegible] [illegible] [illegible]

" [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

a [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

and - [illegible] [illegible] [illegible] [illegible] [illegible]

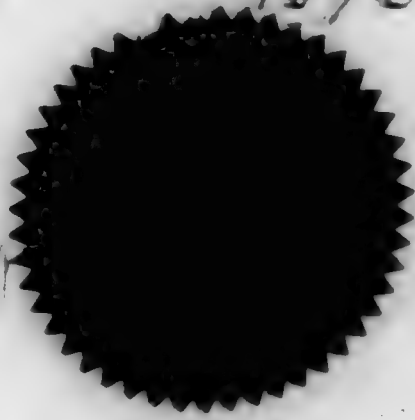
to [illegible] [illegible]

to [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Yours, [illegible] [illegible]

Signed in my presence at Chattanooga,
Tennessee by Austin Thompson with
whom I am well acquainted - witness
my hand as Notary Public this 15 Aug.
1896

[Signature]
Notary Public



Cruller, Geo. C. H. Jan. 2-1885
 Cruller, Geo. C. H. Jan. 2-1885
 Cruller, Geo. C. H. Jan. 2-1885

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[illegible]

State of Tennessee }
Faucon County } Personally appeared before me J. D. Ross a
Justice of the Peace in & for said County, Jacob William
Byers, who being duly sworn deposes & says that the
foregoing statement by him made & subscribed to are true
to the best of his knowledge & belief
Witness my hand this 1st day of 1895
James J. Ross J. D.

q. What is your name?
 a. Miller Lock.
 q. Do you know Andrew Simmons?
 a. I have known him in my life and his mother & Grandmother being his
 that was their names.
 q. His mother's name was Sarah Simmons
 and his mother was a Miller's name?
 a. That is true, I am sure.
 q. I know that his mother was a
 just a simple woman.
 q. How did she die?
 a. She died of a
 heart attack.
 q. Did Miller ever change her name?
 a. She changed her name to Miller Maddox
 then moved to Madison, Alabama.
 q. How was her name changed?
 a. His mother died & Simmons raised him.
 q. How old are you, Miller?
 a. I am 76 years of age.
 Miller 'X' Lock
 mark

State of Tennessee } Personally appeared before me J. D. Ross
 Hamilton County } a Justice of the Peace in and for said
 County, Mattie Lock who being duly sworn
 deposes and says that the foregoing statements
 by her made and subscribed to are true and
 correct to the best of her knowledge and belief.
 So help her God.
 Witness my hand this 20th day of
 James J. Ross J.

State of Tennessee, I L. M. CLARK, Clerk of the County Court of said County, do hereby
Hamilton County. *certify that* *J. Ross* Esq., whose
genuine signature appears to the said *instrument* is now, and was at the time of sign-
ing the same and the rendition of the *sub* *instrument*, an acting Justice of the Peace
in and for said County and State aforesaid, duly elected, commissioned and qualified accord-
ing to law; and that full faith and credit should be given to his official acts as such.

Witness my hand and seal of said Court, at office in Chattanooga, this
day of Aug 1896

L. M. Clark
R. L. Sharp Clerk
D. C.

1373
No 447

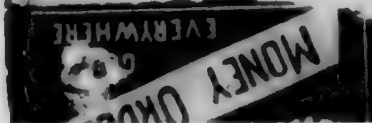
Laurie Thompson

Theresa Reine

Filed Sept 27, 1896
J. S. McKennon
Clerk

Replied

Chattanooga



End



REGISTRY RECEIPT.

Post Office at

Registered Letter No.

Parcel No.

Rec'd

Sept 7th, 1897

addressed to

Lynch Creek, N.Y.
W. H. Tughr
Care of
E. H. Mays
Tahquah N.Y.
L. Taylor

P. M.

121

INDIAN TERRITORY,
NORTHERN DISTRICT.

IN the matter of the claim of *M. A. Hugh and his heirs*

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee Indians, by descent and by blood,
On this *2* day of September, 1896, before me, *E. J. Elliott* Notary,
within and for the Northern District in the Indian Territory personally came
to me known to be a credible person, who being by me,
first, duly sworn, testifies, as follows:

I did on the *7* day of September, 1896, see registered at the Post Office at *Pyra, Creek*,
in said District and Territory, a package addressed to Hon. S. H. Mayes, Chief of the Cherokee Nation, Table-
quah, Ind. Ter. That the Postmaster's receipt for said registered package No. *12* hereto attached, is a
receipt for said package which contained true copies of the following described papers in the case herein mentioned,
the same being all the papers presented to the Honorable Dawes Commission in this case.

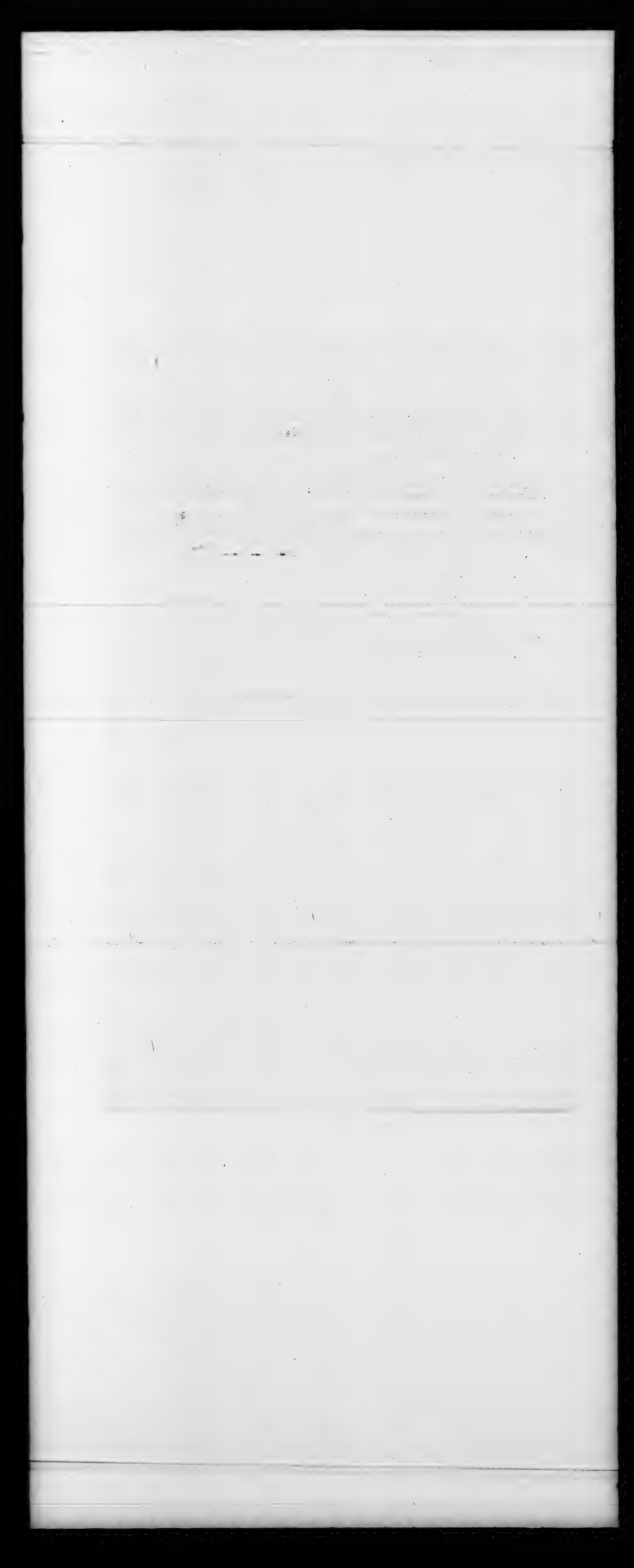
Application sworn to by *William A. Hugh*
Affidavit of *William A. Hugh*
Affidavit of *William A. Hugh*
Affidavit of *William A. Hugh*
Affidavit of
Affidavit of

I am not interested in this case, and am not connected in the prosecution thereof

Subscribed and sworn to before me this

E. J. Elliott
1st day of September, 1896.

E. J. Elliott
Notary Public.



EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed
the Great Seal of said Cherokee Nation, at Tahlequah, this, the
21. day of Feb. 1896.

John L. Adair
Executive Secretary

Nation's No. 2330

Commission's No. _____

In re Application of

W. A. Pugh

FILED SEPT 21 1897

A. S. MCKENNA

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

W. A. Fugh

Nation's No. 2385

Commissioner's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

W. A. Fugh

through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *S. H. Mayes, Principal Chief Cherokee Nation* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *the*

day of

1891.

NOTARY PUBLIC.

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION
TO THE FIVE CIVILIZED TRIBES:

YOUR Petitioner,

William A. Pugh

would state and show from the proof submitted to the Commission that he is a Cherokee by decent and
by blood having been born in *Rowan* County, State of *Georgia*
on the *6th* day of *July* 1861 My father's name
was *Sam Pugh* My mother's name
was *Mary Pugh (ne Payton)* That I now
reside in *Scott Co Ark., Winfield, P.O.* and have resided there
for *7* ~~years~~ *mos*. And he avers these facts can be established by proof to the satisfaction of the Com-
mission under such rules and regulations as it may prescribe. And he further avers that these facts
being proved, he is entitled to be adjudged under the laws of such Nation and the laws of the Congress
of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with
all the rights, privileges and protection of citizenship in such Nation. Wherefore he herewith respect-
fully submit to the consideration of the Honorable Commission such proof and on the hearing he be ad-
judged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

attest, D. J. Elliott

Signature

William A. Pugh

INDIAN TERRITORY.

NORTHERN DISTRICT

NOW on this *3rd* day of *August* 1896,
personally appeared before me, *D. J. Elliott*
a Notary Public within and for the said Northern District,
William A. Pugh who being
duly sworn upon his oath states that the facts set forth in the forego-
ing petition are correct and true.

Subscribed and sworn to before me this *3rd* day
of *August* 1896.

D. J. Elliott

Notary Public.

*Northern
District*

| Enrollment of family with relationship | | | | |
|--|--------|-----------------------------|---|---|
| Names | Age | Relationship | | |
| William H. Pugh | 44 1/2 | Son of Mary Pugh nee Taylor | | |
| John Pugh | 27 | Son of William H. Pugh | | |
| Julia " | 23 | Daughter " | " | " |
| William " | 22 | Son " | " | " |
| James " | 19 | " | " | " |

Indian Territory
Northern District-

County of Scott }
~~State of Arkansas.~~ }

Personally appeared before me
J. J. Elliott a Notary Public in and
for the aforesaid Territory and District-
W. A. Pugh to me well known and who is
worthy of credit and after being by ^{me} duly sworn
deponent & oath I am forty five years old
and have resided in the County of Scott
and State of Arkansas one year. My Mother
was the accredited daughter of Richard
Taylor (decd) she was the lawful wife of
my Father Samuel Pugh; and her name
was Mary Pugh nee Taylor. I was ~~formerly~~
reputed with my Grand Father, only through
my Mother and from her I have been
taught that the said Richard Taylor was her
father, and a Cherokee Indian by blood,
from my earliest recollections, ^{this was taught me} and also
that (ne the said Richard Taylor) was a
return of the Cherokee Nation, ^{East} and that when
the Cherokees came west the said Taylor
came also in charge of a band ^{of Cherokee} ~~on their removal~~
and that he then ^{settled in the Cherokee Nat West} ~~settled in the Cherokee Nat West~~
and died at Yaliquah Ind Ter. I have reasons
therefore to believe, and do firmly believe
that the said Richard Taylor, was my Grand
Father and a Cherokee by blood, and I know
that the list of names hereto attached, are the
descendants of said Richard Taylor, and that
the encasement is correct. William A. Pugh
attest. W. J. Crawford

Sworn to and Subscribed before me
This the 4th day of Sept. 1896.

D. S. Elliott
Notary Public

Honorable
District

I the undersigned Henry J. Brown and
others do hereby petition the Commission
to the General Assembly, -

Whom it may concern, -

The foregoing
petition is submitted to help
in this case -

A The testimony of "M. D. Bugh"
is a space and is not considered
as a testimony but he says he
knows Richard Taylor. He was the
first fall. - The petitioner
M. D. Bugh - He also states
he knows the said Richard Taylor
to be a citizen of the
State and believes him to be
the brother of the

The affidavit of George Ed. Milled
is a space and is 18 years -
He is a citizen of Floyd Co. Ga.
He states that they are personally
and well acquainted with
the said M. D. Bugh and to be
the son of Mary Bugh who was
the daughter of Richard Taylor, and
was born in Chickamauga Co. Ga.

'C'

The testimony of Mark Benson
who is a young man who
resides in Cumming, Ga. He
says he is well acquainted
with the man who told him
that he was the father of
Mary [?] [?] [?] [?]
states that he knows the man
that he is to be true from his
own personal knowledge.

This case is respectfully submitted with
only identity to an ancestor on the rolls.
The petitioner affirms as if on oath that
he knows Richard [?] [?] [?] the
rolls by blood of the Cherokee but does not
know on what roll and we refer you
to the roll of 1835 and of 1817 & 19. Mr Richard
Taylor is known to have been rather
prominent among his people, and no doubt
will appear on some of the rolls.

The said Taylor was the Grand father of
Peterson and Great Grand Father to the
children enrolled and heirs attached.

No strong effort has been made in this case
simply to identify in the facts that as near

Ancestor is in this case would be all
saying that is some enrollment of your

Hon Commission

& this and these papers

are submitted

by N. A. Pugh

1000

26 JJ-

W. D. Pugh
4.8.
Cherokee Nation.

Filed Sept. 8. 1896.

W. S. McKinnon
man

Refuted

Page book 11

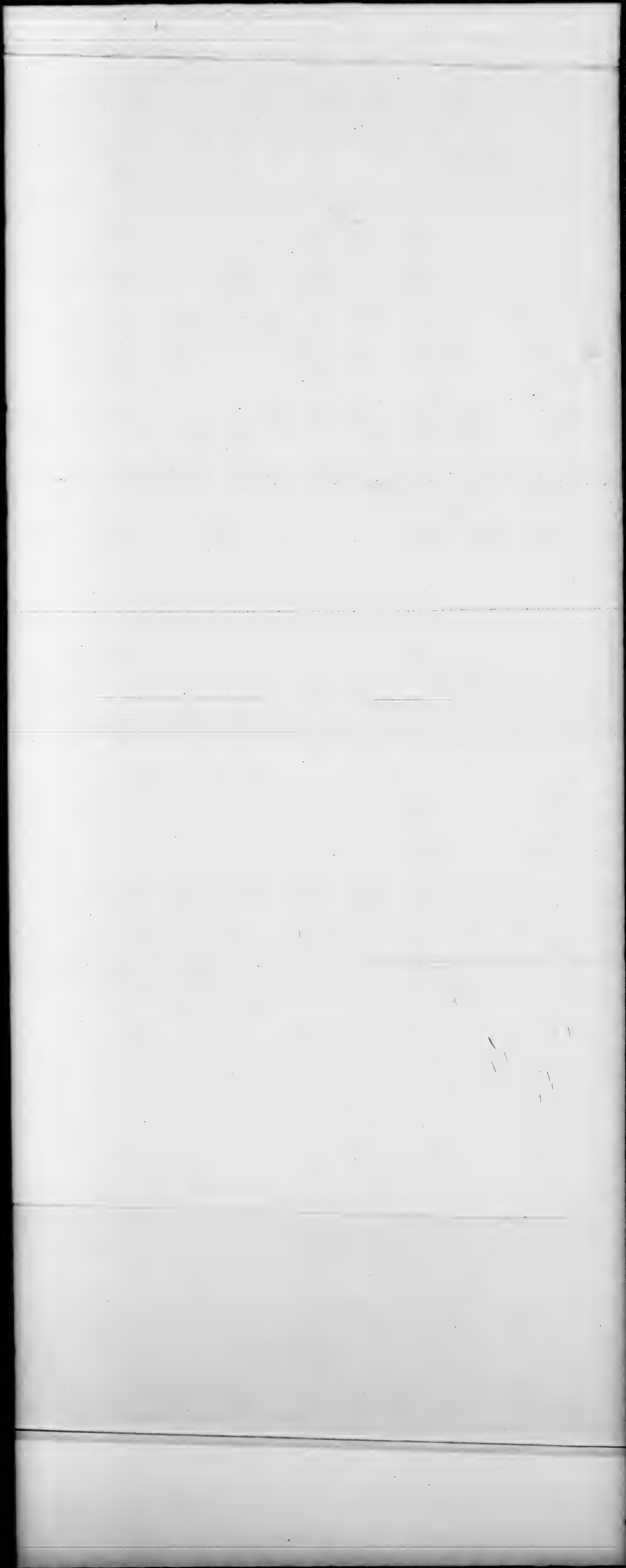
The State of Georgia }
County of Harney }

Personally appeared before me
Ordinary in and for the
said County and State Mark
Benson who after being by me
duly sworn makes the following
statement to wit: I am of age
of age my Post Office address
is Cummings Georgia. I am
personally and well acquainted
with William A. Pugh and know him
to be the son of Sam. and Mary
Pugh (nee Paylost) I know the
above statement to be true and
correct from my own personal
knowledge.

Mark Benson

Sworn to and subscribed before
me this 10 day of August 1860
C. C. Benson
Ordinary

End



[illegible]

| No. | Name | Age | Sex | Profession | Address | Attorney |
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10. *Thompson, D. ... 1950, 1951.*

| NO. | NAME | AGE | SEX | RELATION | ADDRESS |
|-----|----------|-----|-----|----------|-----------------------------|
| 1 | John Doe | 35 | M | Husband | 123 Main St., City, N.Y. |
| 2 | John Doe | 14 | M | Son | 123 Main St., City, N.Y. |
| 3 | John Doe | 10 | M | Son | 123 Main St., City, N.Y. |
| 4 | John Doe | 8 | M | Son | 123 Main St., City, N.Y. |
| 5 | John Doe | 6 | M | Son | 123 Main St., City, N.Y. |
| 6 | John Doe | 4 | M | Son | 123 Main St., City, N.Y. |
| 7 | John Doe | 2 | M | Son | 123 Main St., City, N.Y. |
| 8 | John Doe | 1 | M | Son | 123 Main St., City, N.Y. |
| 9 | John Doe | 0 | M | Son | 123 Main St., City, N.Y. |
| 10 | John Doe | 0 | M | Son | 123 Main St., City, N.Y. |

[illegible]

Journal of Management Education, 20(6), 709-728.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Geo. W. Parker, }
vs } Commission on Citizenship, Tahlequah, I.T. Sept. 21, 1888.
Cherokee Nation. }

This day personally came John Ross, who after being duly sworn states he is a resident of Flint Dist., and is sixty-four years old, and was acquainted with one Henry Parker, became acquainted with him in North Carolina, about fifty years ago, and don't think Henry Parker was related with the Parkers in North Carolina, but he was considered a Cherokee, and his name should appear on the ancient and modern rolls of the North Carolina Cherokees, he met the applicant about one year ago.

X Examination.

The last time I saw Henry Parker was when the soldiers were gathering up the Cherokees to send them West before the general emigration.

Connell Rogers, Clerk Com. on Citizenship

George W. Parker, et al, }
vs } Office Com. on Citizenship, Tahlequah, I.T.,
Cherokee Nation. } Sept. 22nd, 1888.

George W. Parker, who being first duly sworn, upon his oath, says: I am 47 years old. I reside in Cooweescoowee Dist., Cherokee Nation. I have an application on file for citizenship in this Nation. I have five children named as follows: John Parker aged 22 years; Elizabeth Williamson, nee Parker aged 1 years; Josephine Clark, nee Parker aged 10 years; Edward Parker aged 17 years; and Thomas Parker aged 11 years. These children mentioned were all born unto me by my present wife in wedlock. My wife is a white woman.

Cross-Examination.

My children were born in the State of Kansas. My wife was married previous to her connection with me. She has one living child by her first marriage, named Lillis Tyler, now living in Cooweescoowee Dist. She is 25 or 26 years old. She married a white man by the name of Tyler. Her father's name was John Broxell. I was born in Polk County in the State of Arkansas on an Indian Reserve. This was an Indian reservation at the time I was born. It was on a stream called Illinois. I have been living

here in the Nation since the Spring of 1879 with the exception of two years, and I then lived in the State of Arkansas. I am now residing on an improvement of my own. I never made application for citizenship in this Nation previous to one now before this Commission.

Attest. Connell Rogers, Clerk Commission on Citizenship.

Depositions of J. C. McNulty, Moses Harvill J. I. Munday, taken on
22nd day of October 1885, in the town of Russellville, Pope County, Arkansas
before me the undersigned a notary public in and for Pope County, Ark., to
be used in behalf of George W. Parker before the Council of the Cherokee
Nation, Indian Territory.

Mr. J. C. McNulty being duly sworn deposes and says: My name
is James C. McNulty. My age is 46 years. I reside near Russellville,
Pope County, Ark. My occupation is that of a farmer.

Ques. 1. Were you acquainted with Henry Parker, father of Geo. W. Parker?

Ans. I was. He came to Pope County, Arkansas about 1835 and settled
near Russellville. I heard Henry Parker, father of Geo. W. Parker say that
he was part Cherokee Indian and that he was raised in the Indian Territory. His
looks and appearance and talk would lead one to believe that he was part
Indian. It was the general impression that he was part Indian. It was
so understood among all his neighbors. I am well acquainted with Geo. W.
Parker. He is the son of Henry Parker and was born in Pope County, Ark-
ansas. Geo. W. Parker and his brothers and sisters swore that they were
of Indian descent.

J. I. Munday, Notary Public.

J. C. McNulty.

Moses Harvill being duly sworn deposes and says: My name is
Moses Harvill. My occupation is a farmer. I reside near Russellville,
Pope County, Arkansas. My age is 69 years. I was acquainted with Henry
Parker, father of Geo. W. Parker. He told me he came to Pope County, Ark.,
in 1835. He afterwards moved on to the Indian Reserve near Russellville,
Ark., where his son, Geo. W. Parker was born. He told me he came from
South Carolina. He told he was about three quarters Cherokee Indian. He
told me this time and again. His looks would indicate that he was three
quarters Indian. I had every reason to believe he was of Indian descent,
and it was so understood among his neighbors. His children also bore the
marks of Indian descent. Henry Parker died at Morrilton, in Pope County,
Arkansas. I know Henry Parker to be a great hunter and fisher. It is my
understanding that Geo. W. Parker, son of Henry Parker is now a resident in
the Cherokee Nation, Indian Territory.

J. I. Munday, Notary Public.

Moses Harvill.

E. D. Shinn being duly sworn deposes and says: I am E. D. Shinn. My occupation is a farmer. I am 66 years of age. I reside near Russellville, Pope County, Arkansas. I was acquainted with Henry Parker and his wife. I got acquainted with them in 1839. I was very well acquainted with Henry Parker, having fished and hunted with him on many occasions. He told me hims lf he was part Indian, and I am satisfied from his appearance he was and also from the appearance of his family. He was the father of Geo. W. Parker. I was also well acquainted with his sons Edward, Pet and Henry. He also had other sons and daughters whose names I do not now remember except I know Minnie, Callie and Mester. I never heard it disputed that he was part Indian. His wife and all understood him to be so.

E. D. Shinn,

E. D. Shinn.

Notary Public.

State of Arkansas.
County of Pope.

J. T. Munday, a Notary Public within and for Pope County Arkansas do certify that the foregoing depositions of E. D. Shinn were taken before me and were read to him and understood by him in my presence at the time and place afore mentioned. He then having been first duly sworn by me that the testimony or evidence they should give in the matter should be the true facts and nothing but the truth, and that their statements were made voluntarily in their presence neither party being present or represented by proxy.

Given under my hand and seal this 22nd day of October, 1885.

J. T. Munday,

Notary Public.

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed
the Great Seal of said Cherokee Nation, at Tahlequah, this, the
10 day of June, 1896.

Executive Secretary

29

Nation's No. 2322

Commission's No

In re Application of

John P. Parker
et al

Demurrer and Answer.

Filed Oct 7, 1896.

Attest

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners,

In the matter of application of

John H. Parker et al.

Nation's No. *222*

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *Sam* is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

through whom the petitioner & claim to derive *his* right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for readmission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

See also Exhibit C, Parker, no 2415 docket

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *W. L. Mayes & W. L. Mayes* Attorneys.

John L. Ashair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the _____ day of _____, 1896.

NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at Enger Creek, Ind. Ter.
Registered Letter } No. 54 Reg'd 91, 1896
Parcel }
of N. J. Crawford
Superior
addressed to S. H. Myers
Superior, Ind.
James L. Taylor

POOR ORIGINAL -
BEST AVAILABLE COPY

INDIAN TERRITORY.
NORTHERN DISTRICT.

IN the matter of the claim of *John A Parker Joseph A Parker*
William C Parker Parker &
Hayden Parker

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee Indians, by descent and by blood.

On this *7th* day of September, 1896, before me, *D. J. Elliott* a Notary Public in and for the Northern District of the Indian Territory personally came *William C Parker* to me known to be a credible person, who being by me first duly sworn, testifies as follows:

I did on the *5th* day of September, 1896, see registered at the Post Office at *Pryor Creek* in said District and Territory a package addressed to *H. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter.* That the Postmaster's receipt for said registered package No. *80* hereto attached, is a receipt for said package which contained true copies of the following described papers in the case herein mentioned, the same being all the papers necessary to the Honorable Dawes Commission in this case.

Affidavit sworn to by *William C Parker*
Affidavit of *William C Parker*
Affidavit of *John A Parker* Affiant of *M. L. Wood*
Affidavit of *P. Parker* *W. P. Taylor*
Affidavit of *John A Parker* *Mary Ann Clark*
Affidavit of *David C Silser*
" " *Wm Matoy*
" " *Jimmie Smoke*
" " *Aggie Downing*
" " *Wm. H. Sampson*

I am not a member of the Cherokee Nation, and do not claim to be a member thereof.

Notary
District *Robert H. Cropper*
Subscribed and sworn to before me this *7* day of September, 1896.
D. J. Elliott
Notary Public

Notary
District

personally appeared before me *William C Parker* and for said
Notary Public
William C Parker
who being by me duly sworn upon his oath states that the facts set
forth in the foregoing petition are correct and true
William C Parker his mark
Subscribed and sworn to before me this *1* day of *Sept*, 1896.
D. J. Elliott
Notary Public

[illegible]

On this 7th day of September 1896, before me, of El Paso a Notary
Public, appeared for the Northern District in the Indian Territory personally came
[redacted] to me to be sworn, and he being by me
first duly sworn, testifies as follows:

Pryor Creek
the Cherokee Nation, Table-

Affidavit of
Affidavit of
Affidavit of
Affidavit of
Affidavit of

Notary Public.

To the Honorable Henry L. Dawes and Others Comprising the Commission to the Five Civilized Tribes of Indians:

YOUR Petitioner *William C. Parker*

would respectfully state and show, from the proof herewith submitted to the Commission, that

are *Charles* *born in N. Carolina* *22 3/4*
places of birth of said *petitioner* *28*
" *Ga* *6*
" *Ga* *2*
" *Ga*

That the name of the father of said *Charles* *Parker* said that

the name of the mother of said *Charles* *Parker* that said

Charles *Parker* and have

resided there for *7* years. Your petitioner *Charles* *Parker* *22 3/4*

Charles *Parker* Indian

by descent and by blood. Your petitioner *Charles* *Parker* is substantiated by proof to the satisfaction of

the Commission under such rules and regulations as may be prescribed. And *Charles* *Parker* further

aver... that these facts being proven, *Charles* *Parker* entitled to be adjudged, under the

laws of the *United States* Nation and the laws of Congress of the United States and the treaties of

such Nation with the United States, citizen of said Nation, and all rights, privileges and protection of Citi-

zenship in such Nation. Wherefore

Charles *Parker* herewith respectfully requests the Commission to cause such

proof, and upon the hearing thereof

name... be placed upon the proper record.

Charles *Parker* *his*

Charles *Parker* *mark*

Indian Territory

Northern District

Northern

District

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

Charles *Parker* *mark*

Subscribed and sworn to before me this *1* *day of* *Sept* *1896*

William C. Parker *his*

IN the matter of the claim of

for enrollment as citizens of the

Nation, Indian Territory, is

Indian, by blood.

On this

day of

in the

to me known to be a credible person, who being the first day sworn to the following claim as follows:

I, *William C. Parker*, do hereby certify that the foregoing is a true and correct copy of the claim of *William C. Parker* for enrollment as citizen of the Nation, Indian Territory, as shown to me by the said *William C. Parker* on the 11th day of *July*, 1896, at *Fort Smith, Arkansas*.
I, *William C. Parker*, do hereby certify that the foregoing is a true and correct copy of the claim of *William C. Parker* for enrollment as citizen of the Nation, Indian Territory, as shown to me by the said *William C. Parker* on the 11th day of *July*, 1896, at *Fort Smith, Arkansas*.

That my post office address is

Fort Smith
District

Subscribed and sworn to before me this

11th day of *July*, 1896.

W. C. Parker
Notary Public

SPECIFICALLY IN DEFENSE OF RESIDENT PETITIONERS.

First. We analyze Article I, and Section 2 of Cherokee Constitution, and compare it with Article II, Section 2.

(a.) The LANDS of the Cherokee Nation are declared to be and remain common property.

(b.) Upon the question, "To whom are they common?" This Article and Section is silent.

(c.) An effort seems put forth in Article III, Section 5, to answer the question raised by Article I, Section 2, which says: The descendants of Cherokee men by ALL FREE women, except the African race who may have been living together as man and wife according to the customs and laws of this Nation, shall be entitled to all the rights and privileges of this Nation. It is assumed that the language used in the above amendment, speaking of persons, which cannot be solved certainly, by any authoritative method for giving construction to sentences, shall we therefore pass to notice the significance of the amendment to said Section 5, Article III, and if possible, attempt to deduce an answer to the question raised in the first sentence of Article I, Section 2, above. "To whom are the lands common?" The language of said amendment is as follows: "All native born Cherokee, Indians and Whites, legally members of the Nation by adoption, and their descendants shall be entitled to be deemed to be citizens of the Cherokee Nation." An analysis of the clause "ALL NATIVE BORN" CHEROKEES, allowed by definition, will determine the significance of the clause, and afford an easy answer to the question, "To whom are the lands of the Cherokee Nation common?" Answer, To ALL Cherokees. To a WHITE man? To ALL NATIVE BORN Cherokees. The phrase "all native born," is both numeral and descriptive, and evincently and describes the noun Cherokees. All Cherokees of a particular class are therefore pointed out, to whom the lands of the Cherokee Nation are common. This class is defined by the phrase "native born," and a person being the question who are native born Cherokees. The word "native" as an adjective is from the Latin word Nativus, Nativus is from Nascor, which is a verb, signifying to be born. The verb "to be born" has a reference to the time of birth, nor can it have. A native born Cherokee is therefore one who is born within Cherokee territory, without regard to the place of birth. Mr. Webster accordingly defines the adjective "Native," First, "Produced by nature, original, born with the being." Second, "Produced by nature, not by human contrivance." Third, "Born in a place." [See Webster's Unabridged Dictionary.]

The word Native when used as a noun ONLY, can be limited to imply a birth within any specified time and place. Therefore if the constitution in hand, were want to limit births within the limits of the Cherokee Nation, and say the lands thereof are common property to those born within such limits, it would have read, "Cherokee Natives," instead of "Native born Cherokees." That such has been the intention of the framers is attested very recently of the amended form of their constitution, Article III, Section 5, will amply attest to that record which show many admissions to political and communal rights of persons proving Cherokee blood, from almost every State in the Union.

Article I, Section 2, and the two clauses read, "Next, the improvements made thereon, shall be the property of the citizens of the Nation, and the exclusive and indefeasible property of the citizens respectively, who have lawfully rightfully been in possession of same."

As has been shown, if native born Cherokees shall be taken and deemed to be citizens of the Nation, native born meaning born within territory, conferred by birth, every man or woman within this jurisdiction, conferred by his or her birth must be taken and deemed to be, and are citizens with the exclusive and indefeasible personal property, in the improvements made or rightfully possessed. By the provisions of the constitution of the Cherokee Nation, the land of said Nation is now, and shall remain common to such persons as are entitled to be deemed by nature with Cherokee blood, being, and the improvements thereon are exclusive and indefeasible property of the of the same constitution. That which is exclusive cannot be encroached upon, and that which is indefeasible cannot be defeated. If your Honorable body had bound themselves to respect "the laws" of the Nation, then, from the fundamental law, and the case would seem made up, especially is this true, viewed in the light of the purposes of the constitution of this Nation, which emphasize the position assumed. It is not a question of the process of law, but has been settled by the Cherokee Nation, and without such bound, the Cherokee Nation has charged in any case admitted, the effect has uniformly been to consider whether or not the person admitted, establish the claim was, or was not fraudulently obtained.

It is further alleged that the decisions of the tribunals to whom have been committed the jurisdiction of citizenship have been uniformly based upon the existence of blood proven and without any regard to the time when such blood was conferred by birth. The restrictions laid upon birth, expatriation, and the removal of the Nation for full proof of this allegation and hence we challenge investigation, as the Honorable Commission, under the Article I, Section 2, of said constitution contains all that can be found in the constitution and the following expatriation and if the above positions are tenable, it would be expatriation only from political rights, not from communal right to the land to remain, and his right to his improvements thereon is exclusive and indefeasible. So no "native born Cherokee" or "Cherokee native" can be cut off except from political rights, and the constitution specifies four distinctive steps all of which must be taken before a native can be cut off from such political rights. First: He must have once enjoyed such rights. Second: He must have been removed from the limits of the Nation. Third: He must have taken all his effects with him. Fourth: He must have become a citizen of another government after his removal. It is respectfully alleged that none of the persons mentioned in this argument has ever taken any step in the process justifying the allegations expatriation, and if in any way barr him from political affinity and rights as a member of his tribe by virtue of Cherokee blood, and with his being, and therefore the option guaranteed to the authorities by the Section and Article of said constitution closes said second Section is inapplicable in these cases, while the closing sentence of Section 5, Article II, repeats and demands that these petitioners be taken and deemed to be enrolled as citizens of the Cherokee Nation, and that they be given protection in the enjoyment, not only of their communal and indefeasible personal property rights, but also in their political rights as well. It is alleged to be a custom in practice by the Cherokee Nation to admit persons non-resident, to all the rights of citizenship. (See certificate and affidavit accompanying hereto attached.) It is affirmed that this practice sets aside the only fundamental law of the Nation for expatriating its citizens, and that under such practice the provision of the constitution requiring citizenship, no authority vested in the Cherokee Nation by their constitution to expatriate a Cherokee Indian, whether born in or out of said Nation, and that any improvements made, or rightly acquired by any native Cherokee, whether Cherokee native, on the soil declared by the constitution to remain common property, must be held in common, and indefeasible property to such persons, whether they be native born, or Cherokee natives.

It is further alleged that any construction not covering the foregoing is out of harmony with the practices, customs and usages of the Cherokee authorities, and with the treaties of said tribe with the United States, and with the laws of the Congress of the United States and with the rulings of the Interior Department, and with the courts as well.

The last allegation will not be attempted to be authenticated in this paper, but doubtless will be introduced in public discussion before the Honorable commission. The following only is here submitted. Commission, hereby recites the following: "Taking the ground that as the treaties with the Cherokees were made with the authorities of the Cherokee Nation, but with the whole Cherokee people by which the Government was bound in the execution thereof to see that every individual member of the tribe was fully protected in his rights thereunder, (page 322, 4th Op. Att'y Gen'l) and that as a Cherokee could not expatriate himself or be expatriated by Cherokee authorities, (4th Op. Att'y Gen'l's pages 296-7 taken in connection with decision of Supreme Court in Peters) he must, consequently, he resides within the limits of the United States without respect to the degree of community of language and race, a Cherokee citizen with indefeasible vested interests in the property and funds of the Nation."

Respectfully submitted by

N. J. CRAWFORD

Indian Territory
Sevier District

ss.

IN the matter of the claim of John A. Parker Joseph A. Parker
W. E. Parker Charley Parker and Hayden Parker

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee
Indian 6 by blood.

On this 18 day of March, 1896, before me,

within and for the

to the said person, personally came Joseph P. Parker

to me known to be a credible person, who being by me first duly sworn, testifies in relation to the aforesaid claim as

follows: The original affidavits of Mary Ann Clark
W. E. Parker and Charley Parker are on file in the
office of the Executive Secretary of the Cherokee Nation
at Tahlequah Ind. Ter. It is now exceedingly
difficult and sometimes impossible to ob-
tain copies of such affidavits. The
copies of the affidavits of the persons herein named
made out by the Executive Secretary of the Cherokee
Nation is or will be in the possession of the Hon-
Commissioner in the case of Mary A. Parker
and his family, and a part of the testimony
in this case herewith submitted in copies
of the copies.

That my post office address is Grove Cherokee Nation Ind. Ter.

Joseph P. Parker

Subscribed and sworn to before me this 18 day of March, 1896.

Indian Territory
Northern District

S S

In the matter of a claim of Joseph ^P Parker, Ada T Evans (neo Parker) (Millie L Parker John A Christopher N P Parker, Willis Augustus Parker, Lucy M Parker & James G Parker, Mary Adaline Evans, Josephine Evans, Martha Jane Evans Millie Leoma Evans John W Evans for enrollment as citizens of the Cherokee Nation, Indian Territory as Cherokee Indians by blood. On this the 4th day of Sept. 1896 before me J C Starr Notary Public within and for the Northern District of the U S Court in the Ind. Ter. personally came Joseph P Parker to me known to be a credible person, who being by me fully sworn, testifies in relation to the aforesaid claim as follows. The copies of the original affidavits of Maryam Clark, M L Mc Hood, Aggie Downing, Jennie Smoke and Mary ANN Hampton are on file in the office of the Executive Secretary of the Cherokee Nation at Tahlequah Ind. Ter. It is now exceedingly difficult and some times impossible to get certified copies of such affidavits. The copies of the affidavits of the persons herein named made out by the executive Sec. of the Cherokee Nation is or will be in the possession of the Hon. Commission in the case of Henry H Hampton and his family, and a part of the testimony in this case herewith submitted are copies of these copies.

That my Post Office

Is Grove Cherokee Nation Ind Ter.

Subscribed and sworn to before me this 4th day of Sept. 1896

Notary Public

MY COMMISSION EXPIRES
MAY 1 1898

5
A. In Affidavit of Petitioner, John, A. Parker
he shows that his Cherokee blood is derived from
his mother, Anna Parker, nee Blythe, whose mother was
Annice Blythe nee Annice Barnes. Annice Barnes
married Johnathan Blythe, and became the mother
of Anna Blythe, who married Johnathan Parker
and became the mother of petitioner.
He states two reasons why his family was not enrolled
on rolls of blood of Cherokees. 1st It would deprive
of right to vote & 2nd his father - a white recruited
out with his children forced by the soldier to come
west. He states he has been in the National Congress
and has applied to the National Council to be admitted
this right, but never reached a hearing. Says he was
not apprised of the limitations of Cherokee authorities
to come until he arrived.

B. Affidavit - David C. Sizer. He says for 65 years he
has known the family of Johnathan Parker, and that
he was personally acquainted with the family of Johnathan
Blythe. Says Anna Blythe married Johnathan Parker
and became the mother of petitioner. Says the Blythe
family is as well known as Cherokees by the whites
for 65 years, and knows from his personal knowledge
that the Cherokees have recognized them as such for
that time. Says he is 76 years old, and that Anna the
mother of petitioner spoke the Cherokee language
well - and looked like a Cherokee Indian.
He then confirms the reasons given by former
affiant for the non enrollment of the family, and
concludes by stating no one of the Blythe family
ever took reservation.

"C" Affidavit of Wm Matoy, aged 84 years, and
resident of Cherokee Nation. He says He knew
John A. Parker 65 years ago, in the old Nation.
and that the said J. A. Parker was said to be a
Cherokee Indian. and says Johnathan Blythe
was said to be the Grand father of John
A. Parker.

"D" Affidavit - Jennie Smoke - a full blood
She was an intimate at the home
of the Blythes and knew them well. She says
Annie Blythe nee Barnes was half blood Cherokee
says she had one half brother, name was
Bird and gives his Indian name. She then
says she knew the affiant Aggie Downing who
lived in childhood with the Blythe family
and who she shows to be a relative of the Blythes,
which according to her testimony was on the
Cherokee side.

"E" Affidavit - Aggie Downing - another fullblood
She says she was in part raised in the house
of Mr. Harvey Hamptons home, mother & Grand
Mother who lived in North Carolina, her name
was Annie Barnes before Marriage, she married
a Blythe. She then gives the names of the Blythe
children, and among them one the P. Blythe
Mother, and says said Annie Blythe nee Barnes
was a half Cherokee - says she had a half brother
who was fullblood, and gives his Indian name
& English name as Bird. She then says she herself
was first cousin to Hamptons Mother, who was
sister to Claimants Mother. She then shows
a number of the descendants of said Annie
Blythe nee Barnes as residing in this Nation

"F" Affidavit of Maryann Hampton 72 years
Born in the Cherokee Nation East. The youngest
child of Johnathan Blythe and his wife Annie
never lived out of the said Nation, and whose
is & language was Cherokee. Says her mother
was of Cherokee blood. Says she was living with
her father & mother 10 years before the Treaty of 1835-
on Wolf River in N. Carolina. I was there when
the soldiers ^{were} taking off the Cherokees in 1838.
She next states facts to show the persons whose
family was not enrolled as Cherokee Indians.
Says her brother James ^{Blythe} and sister Elizabeth Melah
were enrolled (exceptions) and drew pay for
claims under the Treaty of 1817-1835 - Says
our rights have never been disputed by Cherokee
authorities have been fully recognized as
such (until since we came here)

"G" Affidavit - M. L. Hood - States that Annie
Blythe was a Cherokee woman by blood &
lived in Kewassee purchase, in North Carolina

"H" Affidavit - Wiley P. Taylor - Citizen of this Nation
I am personally acquainted with Joseph P. Parker
and know him to be a son of Oma Parker nee
mae Blythe, whose mother was a recognized
citizen of the old Cherokee Nation

"I" Affidavit - Maryann Clark - Says she knew the
Hampton family in N. Carolina, and they were
generally known and said to be Cherokee Indians
by the whites who knew them. Says she knew James
Blythe (who was brother to Oma Parker) and a brother
to Maryann Hampton, and that he had the
appearance of a Cherokee and spoke the
language well

United States of America,

Indian Territory,

Northern District.

Personally appeared before me the Undersigned Notary Public within and for the district aforesaid duly commissioned and acting at Grove, I. T. John A. Parker to me personally well known who being duly sworn upon oath deposed and saith:

" I hereby make application to the Honorable Dawes Commission at Vinita, I. T. for a hearing of my application for Enrollment as a Citizen of the Cherokee Nation.

I derivemy Cherokee Blood from my Mother whose name was Oma Parker. Oma Parker was a Daughter of Annie Blythe whose maiden name was Annie Barnes. Annie Barnes married Jonathan Blythe. Oma Blythe was the Daughter of ~~Annie~~ of Jonathan and Annie Blythe. Oma Blythe married Jonathan Parker who was my Father .

My Father Jonathan Parker was a whiteman and would not have his childrens names enrolled as Cherokee Indians on account that they would be deprived of their lands in North Carolina and secondly because he did not want us moved off by the Soldiers to the Cherokee Nation West. I lived in North Carolina until seven years ago I came to this country. I have made application to the National Council of the Cherokee Nation but never could get a hearing of my case.. I never knew anything about the Cherokee Nation inviting the eastern Cherokees to come to the Cherokee Nation until after I got here seven years ago. then names and ages of my family are as follows.
John A. Parker aged 75 years old (My Son .)
Joseph A. Parker (Son) aged 36 years.
William Earl Parker (Son.) Aged 28 Years

My Son Joseph A. Parker has two children whose names and ages are as follows:
Charley Parker Aged 6 years.
Hayden Parker Aged 2 years.
Further Deponent saith not.

John A. Parker
Sworn to and subscribed before me this 25th day of August, 1896.

Notary Public.

MY COMMISSION EXPIRES
MAY 2nd, 1898.

Exhibit A

Exhibit "3"

United States of America,
Indian Territory,
Northern District. SS.

Personally appeared ~~James~~ Setser to me personally well known who after being duly sworn according to law says that he personally acquainted with Jonathan Blythe and his Family. He says that Blythe the Mother of John a Parker married Johnathan Blythe. I ~~do~~ have known them for sixty-five years. The Deponent swears that the Blythe family has been recognized as Cherokee Indians by the white people for sixty-five years and he also testifies that he knows from his own knowledge that the Cherokee Indians claimed them as their own people back in the state of North Carolina and he further says that he is seventy-six years old. He says that Mrs. Parker the Mother of John a Parker spoke the Cherokee language well

and from her appearance looked to be a Cherokee Indian. On

Parker was a Daughter of Jonathan and Annie Thomas formerly

Annie Thomas.

Deponent further testifies that he is and George Thompson and Jonathan Parker say several times that they would not have their children enrolled as Cherokee Indians if they did enroll them as Indians they would not be allowed their oaths and would be sent to the west. The deponent further says that none of the Blythe family ever has taken a reservation under any treaty. The Deponent further states that he knows these things from his own personal knowledge.

Witness my hand.

W. H. Thompson

Sworn to and subscribed before me this 10th day of 1901.

Notary Public
MY COMMISSION EXPIRES
1902

Et C

Affidavit of Witness

State of Missouri
County of McDonald } ss.

This day personally appeared before
me the undersigned Notary Public in
and for the County and State aforesaid
said duly sworn witnesses and acting
at South West City Missouri 19th May 1894
and is now a resident in the Cherokee
Nation and an Indian who being by
me duly sworn and being in law
his oath deposeth and sayeth
that he was acquainted with John
A. Parker in the Cherokee Nation
about Sixty five years ago and will
be sworn to by his brother blood
He further States that he was acquainted
with Jonathan Slythe who was
said to be the grandfather of said
John A. Parker. He further States that
he was acquainted with Jim and
Jack Slythe who was the sons of said
Jonathan Slythe.

Witnesses to the above
J. S. Hall
Geo. W. Hall

Wm. M. Minter his
Notary Public

Subscribed and sworn to before
me this 19th day of August 1894

Edw. Edwards
Notary Public

My Comm. Expires 28. 1895

9/1

Et "C"

4
2663-

John A. Parker et al
vs
Cherokee Nation

[Faint signature]
Filed Sept 8th 1896.
A.S. McKinnon
Clerk

MY COMMISSION EXPIRES
MAY 2nd, 1898.

POOR ORIGINAL -
BEST AVAILABLE COPY

Copy

Cherokee Nation

Tahlequah District, personally came before me
this day D. H. Hicks, clerk of said District, Maryann
Clark, who said States that she was personally
acquainted with the Hampton family in North
Carolina, and that the said Hampton family
was generally known and said to be Cherokee
Indians by the white people, who lived in
the vicinity and County, where they lived,
was well acquainted with James Blythe
who was a brother of Maryann Hampton,
Grandson of the Claimant, the said Hampton.
She further states that James Blythe has
also the appearance of a Cherokee and speaks
the language well. Further the Defendant
is a Cherokee (Maryann Clark).

(Present to and Subscribed before me on this
5th day of December 1876.

(Signed) D. H. Hicks, Clerk
Tahlequah Dist. C.N.

Whereby Certify that the foregoing is a true
Copy of the original Affidavit of Maryann Clark.
Given under my hand and seal of office this
7th day of January, 1877. Allen Ross, Clerk
U.S. C.N.

POOR ORIGINAL -
BEST AVAILABLE COPY

2065-

John A. Dickson et al
vs
Sherokee Nation

MY COMMISSION EXPIRES
MAY 2nd, 1898.

W. J. [unclear]

Filed Sept 8th 1896.
A. S. McKinnon
Clerk

From [unclear]

Nation's No. 3204

Commission's No.

In re Application of

John A. Parker -

Demurrer and Answer.

Before the Honorables: Henry L. Dawes, Frank A. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery Commissioners

In the matter of application for

John A. Parker

Nation's No. 3204

Commissioner's No.

for citizenship in the Cherokee Nation.

Your respondent, said John A. Parker, demurs the
said application, and on this day

the Nation, does now and demurs the

1st. That this is a matter of this controversy,
and no legal right in the

2d. That the said applicant *Sam*
entitled to citizenship.

Respondent, *William*, in answer to said appli-
cation, says that

William *Sam* *right*
to citizenship in the Cherokee Nation, since
the removal of the Cherokee Nation, since
does not appear to be the case, and that his name
resides in the Cherokee Nation, and that he is the son of

Having read and heard the evidence in this case,

I, A. B. Montgomery, Commissioner of the Cherokee Nation,

By *Hastings* *Attorneys*

John L. Adams, Esq., Secretary of the Cherokee Nation, states that the
matters contained in the foregoing are true and correct.

Subscribed and sworn to before me this

1896.

NOTARY PUBLIC.

Copy

Deposition

Cherokee Nation }
Tahlequah Dist } ^{came} personally before me this
day D. R. Dick, Clerk of the aforesaid Dist.
William Matoy to me well known, after being
duly sworn makes the following statement:
to wit: I was acquainted with the Blythe
family and they had ^{all} the appearance of Cherokee
Indians and spoke the language well. The
said Blythe family were considered Cherokees
by the majority of the white people of North
Carolina where they lived. Also the Hamilton
families were regarded as Indians and one of
the Blythe family of people the 6th day of
December 1876 William Matoy
sworn to and subscribed before me on this
6th day of December A.D. 1876.

D. R. Dick, Clerk
Tahlequah Dist
C. N.

I here certify that the above affidavit
is a correct copy of the original given
in favor of the family who was said to be
Cherokee Indians. This 6th day of December
A.D. 1876.

D. R. Dick, Clerk
Tahlequah District
C. N.

United States of America.

Indian Territory.

Northern District.

I J. O. Barry, Notary Public hereby certify

that above and foregoing is a true and correct copy of an instrument
which was exhibited to me and further certify that the same
is a true and correct copy with the original and found true and cor-
rect. Witness my hand and seal this 14th day of May, 1898.

J. O. Barry, Notary Public.
MY COMMISSION EXPIRES
MAY 2nd, 1898.

I J. C. Starr, Notary Public, hereby certify

the above and foregoing is a true and correct copy of an instrument this day exhibited to me and I further certify that the same was carefully compared with the original. Witness my hand and seal this 24th day of June.

J. C. Starr
Notary Public.

Ex 2

Copy

Deposition

Cherokee Nation } know all men by these presents
Tahlequah Dist } that I, Jimmy Smoke or Isinogahla,
a full blood Cherokee woman, was well
acquainted with Henry Harry Hampton,
his mother & his grand mother. I used to go
often to see them for I lived near. They
lived in North Carolina on Vally River. Mr
Hamptons mother was named annie
Blythe before she married Hampton for
she was a sister to Betsey Blythe, who married
John Welch. Betsey has two living children
living now in Cherokee Nation, Jim Welch
of Delaware of Delaware District and Stacy
Welch. Henry Harry Hampton is first
cousin to Jim Welch & his sister Stacy.
This Hamptons grand moth. was named
annie Barnes before she was married to Blythe.
The Cherokees called Blythe Isootleh or Fox.
annie Barnes was half blood Cherokee. she
had only one half brother named Bird, the
Cherokee name was Chesquigah. Knew
aggie Downing from childhood. She lived with
annie Blythe as a child. I have seen her there
many times. She lives now in Saline District
near - Chewoh Strongah school house. Aggie
Downing is half sister to Jim Welch, John
Welch being her father. I myself live in

Saline District Cherokee Nation, a bout
Seven miles North of Aggie Downing I know
Henry Harry Hampton to be a Cherokee by blood.
I have been to Tahlequah twice to bear witness
for him & do know Aggie Downing but the
Court on Citizenship would never give
the case a hearing

Cherokee Nation personally appeared before me Jimmy
Tahlequah Dist } Smoke or Isinorgahh & after being
duly sworn acknowledged the above
statement to be true & avers that it is true
& that she knows the facts of her own knowledge
as witness my hand & seal this 25th day of Sept

1882.

W. B. Bandint
Executive Secretary



United States of America.

Indian Territory

Eastern District.

I W. C. Starr, Notary Public hereby certify
the above and foregoing is a true and correct copy of an instru-
ment this day exhibited to me and I further certify that the same
was carefully compared with the original. Witness my hand and
seal this 1st. Jan. 1901.

W. C. Starr
Notary Public.

Boyd
S. H. H.

270

State of New York
County of [blank]
[blank]

I, J. D. Starr, Notary Public herefor sworn,
do hereby certify that the above is a true and correct copy of an
instrument exhibited to me and I further certify that the
same was carefully compared with the original and found true and
correct. Witness my hand and seal this 2nd day of May, 1938.

Notary Public.
MY COMM. EXPIRES
MAY 2nd, 1938.

سید

Cherokee Nation
Tahlequah District; Known all
by their Ancestors that Aggie Brown
a full blood Cherokee Indian, was
well acquainted with Henry H. Hamp-
ton's mother and grand Mother they
lived on West Carolina on Valley River.
I was raised in large part in
grand mothers house her name was
Ann Barnes before marriage she
married a white the Cherokee called
him Tootah she bore seven children
the first Fry Mayann + Betsey
and son Jonathan. Mayann
married Mr Hampton the Father
of Henry Hamr Hampton The Cherokee
called the Father Toh late. The Ann
Barnes of record was a half Cherokee
she had a half brother a full blood
Indian named Cheroquoah or Bird
I myself am first Cousin to H. H. Hamp-
tons mother Betsey Glyde one of the
Seven children a boy mentioned
and sister to Mayann married John
Wet morehead Ned Davis Jonathan
Richard John Cobb Jim & vice Polly Stacy
who married Campbell Taylor Jim

Welch lives in Ithaca District near
Long Creek. He is Hampton is first
Cousin to John Welch & to Campbell
Taylors wife.

Cherokee Nation

Tahlequah District. This day personally
appeared before me Aggie Downing who
after being duly sworn, deposed that
the facts a fore stated are true
That she knows the facts of her own
knowledge. as witness my hand & Seal
This 25th day of Sept. 1882

W. P. Bondurant
Executive Secretary

Seal

73
82

United States of America
Indian Territory.
Northern District.

I, J. C. Starr, Notary Public hereby certify
that the above and foregoing is a true and correct copy of an instrument
sent this day exhibited to me and I further say that the
same was carefully compared with the original and found true and
correct. Witness my hand and seal this 1st day of -

Notary Public.
J. C. Starr.
1886.

Et 4

United States of America.

Indian Territory.

Northern District.

I J. C. Stone, Notary Public

hereby certify that above and foregoing is a true and correct copy of an instrument this day exhibited to me and I further certify that the same was carefully compared with the original and found true and correct. Witness my hand and seal, this 1st day of Aug. 1893.

Notary Public.

My Comm. Expires 1st Feb. 1895

Notary Public.

State of North Carolina
Cherokee County.

February 28, 1883.

Mayann Hampton Age 72 years
being duly sworn according to law says that
I was born in the Cherokee Nation East, on
the Cane Fork of the Tuckasee River in
the said State. That I am the youngest child
of Jonathan and Ann Blythe, have never
lived out of said Nation, and the Cherokee
language is the first I learned
that Mother was of Cherokee Indian
Blood. I was living with my Father
& Mother on Nally River at least ten
years before the Treaty of 1835, and was
living there at the time the soldiers were
taking of the Cherokee Indians 1838.
My Mother died before the Treaty of 1835.
My Father Jonathan Blythe and my Brother
and Sisters were opposed to the Treaty of 1835
because it interfered with the land
granted to the State of North Carolina
in 1783 to the Cherokee Indians for
services rendered the United States
in the war of the Revolution. The Indian
blood was by Mother and being dead
before the Treaty of 1835, and Father being a

white man we were not Subject to being
taken up and sent to the Cherokee Nation
West and therefore we were let a lone, and
were not troubled by the United States
Soldiers. When other Cherokees were
caught up and sent West, our names
were not placed upon any Census roll
of the North Carolina Cherokees & of
Brother James Rhyne and Elizabeth
Welch they have been paid for a
portion of their claims under the
Cherokee Treaty of 1817, and 1835; our
rights as Cherokees have never been
disputed by the Cherokee National
authorities, but on the other hand have
been fully recognized. Whenever
claimed and we only ask to be enrolled
on the Census authorized by the act of
August 7th 1882. That we may have
the opportunity of a final Settlement
of our claims under the said Grant
of 1783. Margann ^W Hampton
mark

attest

David Adams
W. Hampton

Sworn to before me the 28th day of
February A.D. 1885.

Given under my hand and
Seal of our Superior Court of Lem.
of said County at office in Murphy
the date above written.

Jas C. Atty. C. S. C.



United States of America.

Indian Territory.

Northern District.

I J.C. Starr, Notary Public

do hereby certify that above and foregoing is a true and correct copy
of an instrument this day exhibited to me and I further certify
that the same was carefully compared with the original and found
true and correct. Witness my hand and seal, this Aug. 8th. 1896.

Notary Public.

My Comm. Expires 1st Dec. 1898.
Aug. 2nd, 1896.

Ch. 6

Copy

Separation

Chancery Court
Tallegood District

Personal of and before me
Allen Ross of the aforesaid District
M. Ross who being qualified states
That Anne Rhythe was a Cherokee woman
by blood and lived in Winnessee parish
in South Carolina, and that the Mother
of L. L. Hampton was the Daughter of
Anne Rhythe.

Came to and Subscribed before
me this December 1st 1898.

M. Ross

Allen Ross Clerk
J. L. R.



Notary Public for the State of South Carolina

Indian Territory

Notary Public for the State of South Carolina

I, J. C. Starr, Notary Public, do hereby certify that the above and
forwent is a true and correct copy of an instrument this day
presented to me and I do hereby certify that the same was carefully
compared with the original and found true and correct Witness
my hand and seal this day and month.

Notary Public.

Nov 2nd, 1898.

24

973

United States of America.

Indian Territory.

Comanche District.

§ 2.

I J. S. Starr, Notary Public hereby certify that the above and foregoing is true and correct copy of an instrument this day exhibited to me, and I further certify that the same was carefully compared with the original and found true and correct.

Witness my hand and seal this day, Nov. 1896.

J. S. Starr,
Notary Public.

✓
Tahlequah District
Cherokee Nation

Personally appeared
before me R. M. Danenberg Deputy Clerk
of Tahlequah District, Wiley C. Taylor,
who after being duly sworn according
to law deposes and says as follows:
I am a recognized Citizen of the
Cherokee Nation and live in Tahlequah
District, C. N. and my P. O. address is
Tahlequah, I. T. I am personally
acquainted with Joseph B. Parker
I know him to be a son of one
Parker nee Mrs. Rhy. whose mother
was a recognized Citizen of the
Cherokee Nation. I recommend
that he and his descendants be
readmitted to all the rights
and privileges of including lands
and monies of Native Cherokees,
by virtue of their Cherokee Blood
Wiley C. Taylor

~~Subscribed and~~
Sworn and Subscribed to before me
M. Danenberg Depy Clerk
Nov 21 - 1893.



United States of America.

Indian Territory/

Southern District.

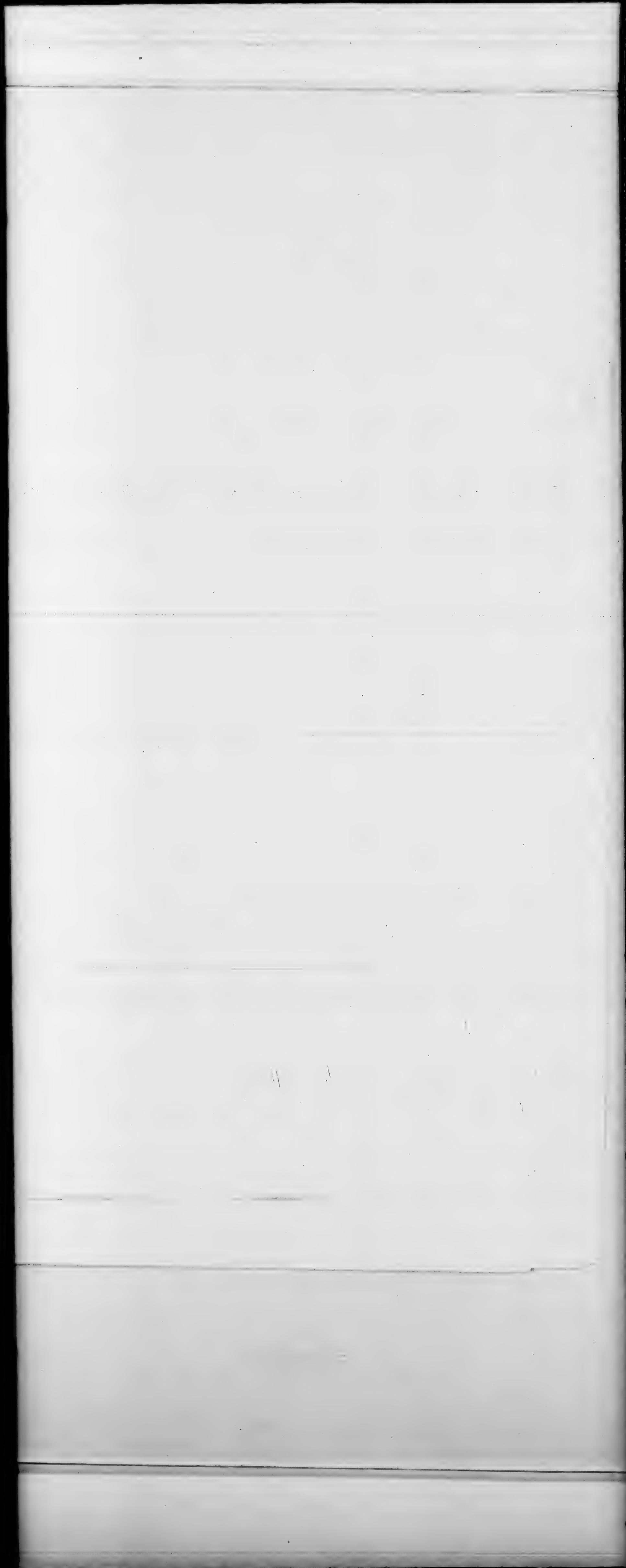
S S

I J. S. Starr, Notary Public hereby certify that the above and foregoing is a true and correct copy of an instrument this day exhibited to me, and I further certify that the same was carefully compared with the original and found true and correct.

Witness my hand and seal this Aug. 30th. 1896.

J. S. Starr
Notary Public.

End



REGISTRY RECEIPT.

Post Office at

Lower Creek St.

Registered

Letter

No.

U.S. Regd

Sept 7th 1896

6

or

Parcel

addressed to

26 Mayas

Tahluquah St.

L Taylor

P. M.

INDIAN TERRITORY.
NORTHERN DISTRICT.

IN the presence of the undersigned, *James H. Stillman* his
20th day of September, 1896.

for enrollment as Cherokee Indians, by descent and by blood.
Affidavit of *James H. Stillman* a *Notary*
in the Northern District in the Indian Territory personally came
before me known to be a credible person, who being by me,
first duly sworn, testified that he is
I did at the time of his deposition, he was registered in the Post Office at *Warr, Creek*
in said District in the Indian Territory, and was *James H. Stillman*, Chief of the Cherokee Nation, Tahle-
quah, Ind. Ter. That the said *James H. Stillman* said registered package No. 120 hereto attached, is a
receipt for said package and contains the following described papers in the case herein mentioned,
to said *James H. Stillman* and his heirs and assigns forever.

Witness my hand and seal at *Warr, Creek* this

Affidavit of

Affidavit of

Affidavit of

Affidavit of

Affidavit of

I am not opposed to the case of *James H. Stillman* in the prosecution thereof.

Witness my hand and seal at *Warr, Creek* this

James H. Stillman
20th day of September, 1896.

McManis
Notary Public.

Nation's No. **2803**

Commission's No.

In re Application of

*John W. Chittose
et al*

Demurrer and Answer.

FILED AT

IN

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKannon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of *Shoo H. Shelton et al* Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has no jurisdiction over the subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the applicant has not shown that he is entitled to citizenship, and that the applicant is not entitled to citizenship.

Respondent not waiving his right to be heard in answer to said application, says that:

Julia Mayes
through whom he claims to derive right
to citizenship in the Cherokee Nation is not now, and was never, a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, and was never located and abided; that his name does not appear on any of the authenticated rolls of said Nation that he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, or citizens thereof.

Having fully answered, your respondent asks to be heard dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchings, Harding & Broadwell* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, being duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *12th* day of *April*, 1896.

NOTARY PUBLIC

2658

P. H. Shelton
U.S.
Churakua Nahan

Fin. Sept 8 1891
AS McKinnon
Coun.

Rel. P. H.
J. L. Elliott
Byrd

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION
TO THE FIVE CIVILIZED TRIBES:

YOUR Petitioner, *Thomas H. Shelton for himself*
and heirs.
would state and show from the proof submitted to the Commission that he is a Cherokee by decent and
by blood having been born in *Emery* County, State of *Ky*
on the *4th* day of *August* 1842 My father's name *Math*
was *Pegie Shelton (nee Morgan)* My mother's name *Grand*
was *Julia Morgan (nee Lowmy)*
reside in *the Cherokee Nation* That I now
for *9* years. And he avers these facts can be established by proof to the satisfaction of the Com-
mission under such rules and regulations as it may prescribe. And he further avers that these facts
being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress
of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with
all the rights, privileges and protection of citizenship in such Nation. Wherefore he herewith respect-
fully submit to the consideration of the Honorable Commission such proof and on the hearing he be ad-
judged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

Signature *Thomas H. Shelton*

INDIAN TERRITORY.
NORTHERN DISTRICT.

NOW on this *11th* day of *August* 1896,
personally appeared before me, *D. J. Elliott*
a Notary Public within and for the said Northern District,
Thomas H. Shelton who being
duly sworn upon his oath states that the facts set forth in the forego-
ing petition are correct and true.

Subscribed and sworn to before me this *11th* day
of *August* 1896.

D. J. Elliott
Notary Public.

*Northern
District*

To the Hon Henry, L. Dawes and others
Composing the Commission to the Five
Civilized Tribes.

Gentlemen!

Your
petitioners submit the following to aid
in the examination of the case herewith
filed.

"A" Is the affidavit of Peggy McDaniel, who
states she is a full blood Cherokee, and well
acquainted with the Petitioner. She knows
him to be a son of Peggy Shelton, and who
is a daughter of Julia Morgan, McLary
and that the said Julia Morgan or Morgan
is one of the rolls of the Cherokee Nation.

She also says she knows that the
said is a Indian by blood
and a third Cousin to her self

Peggy McDaniel -

"B" Is the affidavit of Alex McDaniel who is a
of the Cherokee Nation, aged
about 10 years, and says he is well
acquainted with the Petitioner.

him to be a Cherokee Indian by blood
and further states he knows him to be
son of Peggy Shelton who was a Julia
Morgan McLary, and whose names
appear on the roll of the Cherokee Nation.

"C" Is the affidavit of Sakej Peg who is full
blood Indian and resides in Dallas Dist,
aged about 80 years. She says she is well
acquainted with that the Shelton, who

a son of Pegie Whelan Ne Morgan,
and she further states that she
knows the petitioner this is —
to be a Cherokee Indian by blood —

Respectfully Submitted

D. J. Elliott & Co

Atty for Petitioners

... of ... with ... attached.
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What, I think, is the best way
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list of the names of the
people who are interested in it
and to have them all sign it.

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End



Nation's No. 2108

Commission's No

In re Application of

J M Beck
et al

Demurrer and Answer.

25

A. E. Beck
COURT

In the matter of application of

Nation's No

Commission's No. _____

for citizenship in the Cherokee Nation.

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

Respondent not waiving his rights and demurrer, resting upon the same for answer to said application, says that

through whom the petitioner claim to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Harrington, Hulchings & Bondine* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 18 day of Feb, 1896.

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at

Registered Letter No.

Parcel

Rec'd

Sept 7, 1896

addressed to

P. M.

INDIAN TERRITORY,
NORTHERN DISTRICT.

IN THE COURT OF THE COMMON PLEAS FOR THE COUNTY OF MICHIGAN
No. 2 in the 1st District of the 1st Circuit of Michigan
Beck for himself and his wife
vs. Beck.

Indian Territory, as Cherokee Indians, by descent and by blood.
 He is a *white man* *notary*
 of the Northern District in the Indian Territory personally came
 to me known to be a credible person, who being by me.

...registered at the Post Office at Pigeon Creek,
...addressed to Hon. S. H. Mayes, Chief of the Cherokee Nation, Table-
...hereto attached, is a
...the following described papers in the case herein mentioned.
...the Honorable Dawes Commission in this case.

1. Beck
 2. Grand
 3. W. H. H.
 4. and Fran Beck
 5. H. H. H.
 6. H. H. H.

...concerned in the prosecution thereof.

day of September, 1885.

Notary Public.

SPECIFICALLY IN DEFENSE OF RESIDENT PETITIONERS.

First, We analyze Article III, Section 5, of the Kentucky Constitution, and connect it with Article III, Section 5.

(d.) The LANDS OF THE BRIGGS TRACT are occupied to be and remain common property.

(d). Upon the question, "To whom are the lands common?" this Article and Section is silent.

(e). An effort seems put forth in Article II, Section 5, to answer the question raised by Article I, Section 2, which says: "The descendants of Cherokees and ALL FREE women, except the African race, who may have been living together as man and wife according to the customs and laws of this Nation, shall be entitled to all the rights and privileges of this Nation." It is assumed that the language used in the above quotation springs a question, which cannot be solved certainly by any authoritative method for giving construction to sentences; and we therefore pass to notice the significance of the amendment to said Section 5, Article III, and, if possible, therefrom deduce an answer to the question raised by the first sentence of Article I, Section 2, to-wit: "To whom are the lands common?" The language of said amendment is as follows: "All native born Cherokees, all Indians, and Whites, legally members of the Nation, by adoption, and their descendants, shall be taken and deemed to be citizens of the Cherokee Nation." At analysis of the clause "ALL NATIVE BORN CHEROKEES," followed by definition, will determine the significance of the clause, and afford an easy answer to the question, to-wit: "To whom are the lands of the Cherokee Nation common?" Answer. To ALL Cherokees. To all of what class? To ALL NATIVE BORN Cherokees. The phrase "native born," is both numeral and descriptive, and enumerates and describes the noun Cherokees. All Cherokees of that particular class are therefore pointed out to whom the lands of the Cherokee Nation are common. This class is denoted by the phrase "native born," and at once springs the question who are native born Cherokees. The word "native" as an adjective is from the Latin word *Nativus*. *Nativus* is from *Nasci*, which is, born, generated or born. The verb "to be born" has no reference to the place of birth, nor can it have. A native born Cherokee is, therefore, one who is born with Cherokee being, without any regard to the place of birth. Mr. Webster's dictionary defines the adjective "Native," First: Produced by nature, original, born with the being. Second: Inherent, innate, not hereditary or artificial. Third: Conferred by birth. [See Webster's Unabridged Dictionary.]

The word Native American, Indian, etc., can be limited to imply a birth within any specified limit or place. Therefore if the laws of a land were meant to limit births within the limits of the Cherokee Nation, and say the lands thereof are common property to those born within such limits, it would have read "Cherokee Natives" instead of "Native born persons." That such has been the conception by the authorities until very recently of the intended force of the word "born" in Article III, Section 5, will be amply attested by their records which show many admissions to citizenship and communal rights of persons proving Cherokee blood from almost every State in the Union.

Article I. Section 2. and in 1850, and the improvements made thereon, and in possession of the citizens of the Nation are, so far as an inalienable property of the citizens respectively, who made and rightfully be in possession of them.

As has been shown, the Cherokee Indians have been and are deemed to be citizens of this Nation. Native born meaning born with the Cherokee citizenship in the birth - every man or woman who has Cherokee blood, conferred by his or her birth must be taken an Cherokee citizen and are citizens with EXCLUSIVE and INDEFEASIBLE personal property in the improvements made or rights possessed. By the provisions of the constitution of the Cherokee Nation, the land of said Nation is now and shall remain common to such persons as are or may be produced by nature with Cherokee blood or color, and the improvements thereon are exclusive and indefeasibly theirs by virtue of the same citizenship. The whole country cannot be ENCROACHED upon, and that which is indefeasible cannot be defeated. If the Government can and therefore to respect "all laws" of the tribe, much more the fundamental law, and in case would send into the country is this practice in the past, the practice of the authorities of the Nation, which opposes the position assumed. It is here alleged that the practice heretofore has been upon the existence of Cherokee blood proven, or admit, and without such blood to reject, and if fraud was charged in the case, and if the other has uniformly been to consider whether or not the proof submitted to establish the blood was of the blood of the Indians, and to whom have been committed this matter of

It is further alleged that the persons of the Indians—of whom have been taken citizenship have each been admitted upon the existence of blood proven, and without any reference to the place where such blood was acquired, or from what. The admissions and upon public exhibitions of the records of such Nation forestal proof of blood, and in the above-mentioned investigation by the Honorable commission. Again the Article I Section 2 of said constitution contains all that can be found in the constitutional law authorizing the expatriation and if the above-mentioned Constitution would be expatriation only from political rights—for his communal right to the tribes—communal, and his right to his improvements thereon is exclusive and indefeasible. So no natural born Cherokee, as mentioned above, can be cut off—except from political affinity with his tribe; and the constitution stipulates that within the same act when must be taken before a Cherokee can be cut off from such political rights. First: He must have been adopted with him. Fourth: He must have become a friend of the Nation. Third: He must have taken to his effects with him. Fourth: He must have become a citizen of another government after settlement. It is respectfully alleged that no one of the petitioners for whom this argument is submitted has ever taken any of the process justifying the authorities to expatriate him, or in any way bar him from political affinity and address as a member of his tribe by virtue of Cherokee blood born with his being, and therefore the entire judgment of the authorities by the Section and Article in hand and which closes said second Section is inapplicable to the cases, while the closing sentence of Sections, Article III, applies and demands that these petitioners be held and deemed to be enrolled as citizens of the Cherokee Nation, and that they be given protection to the extent, not only of their communal and indefeasible personal property rights, but also in their communal rights, to all the rights or citizenship. (See certificate and affidavit Cherokee Nation to admit persons into said Nation, and the practice sets aside the only fundamental law of said Nation accompanying hereto attached.) It is alleged that this practice the provision of the constitution being annulled there by no authority vested in the Cherokee Nation by her constitution to expatriate a Cherokee Indian whether he be in or out of said Nation, and that any improvements made, or rights acquired by any native born Cherokee, or by any Cherokee native, on the soil declared by the constitution to remain common property, must be held as the exclusive and indefeasible property to such persons, whether they be native born, or Cherokee natives, and harmonizing with the practice.

It is further alleged that any construction not covering the foregoing is out of harmony with the practices, customs and usages of the Cherokee nation, and with the treaties of said tribe with the United States and with the laws of the congress of the United States and with the rulings of the Interior Department and with the court as well.

The last allegation still of "several" is not supported by the evidence. The following only is here submitted. Commissioner Oberlin in public discussion before the National Indian Commission. The following only is here submitted. Commissioner Oberlin recites the following: "Baker has been found in the treaties with the Cherokees were not with the authorities of the Cherokee Nation, but with the United States people by which the Government was bound in the execution of a treaty to see that every individual member of the tribe was fully protected in his rights and interests." (page 329, 5th Op. Att'y Gen'l) and that as a Cherokee could not consider himself or be expected to be expected by Cherokee authority, 14th Op. Att'y Gen'l's page 296-7 taken in connection with decision of Supreme Court (8 Peters 1) he must be wherever he resides within the limits of the jurisdiction without respect to the degree of consanguinity regarded as a Cherokee citizen with indefeasible vested interest in the property and funds of that Nation."

Respectfully submitted by

N. J. CRAWFORD.

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION
TO THE FIVE CIVILIZED TRIBES

YOUR Petitioner,

would state and show from the proof submitted that he is a Cherokee by descent and
by blood having been born in

on the day of My father's name

was My mother's name

was That I now

reside in and have resided there

for years. And he avers that he is entitled to the satisfaction of the Com-

mission under such rules and regulations as may be prescribed. He further avers that these facts

being proved he is entitled to be admitted to the Cherokee Nation and the laws of the Congress

of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with

all the rights, privileges and protection of citizenship in such Nation. Wherefore he herewith respect-

fully submit to the consideration of the Honorable Commissioners and on the hearing he be ad-

judged entitled to such citizenship and to name of place and to be recognized as a citizen of such Nation.

Signature J. E. Beck

INDIAN TERRITORY.

NORTHERN DISTRICT.

NOW on the day of 1896,

personally appeared before me

a Notary Public within and for the said Northern District,

who being

duly sworn upon his oath stated that the facts set forth in the forego-

ing petition are correct and true.

Subscribed and sworn to before me this day

of 1896.

Notary Public.

11

Yes. ✓

100

Being over

22

" " " " " "

1. The first part of the document is a list of names and dates, which appears to be a record of some kind. The names are written in a cursive script, and the dates are in a more formal, printed style. The list is organized into two columns, with names on the left and dates on the right. The names are: "John A. Smith", "John B. Smith", "John C. Smith", "John D. Smith", "John E. Smith", "John F. Smith", "John G. Smith", "John H. Smith", "John I. Smith", "John J. Smith", "John K. Smith", "John L. Smith", "John M. Smith", "John N. Smith", "John O. Smith", "John P. Smith", "John Q. Smith", "John R. Smith", "John S. Smith", "John T. Smith", "John U. Smith", "John V. Smith", "John W. Smith", "John X. Smith", "John Y. Smith", "John Z. Smith". The dates are: "1810", "1811", "1812", "1813", "1814", "1815", "1816", "1817", "1818", "1819", "1820", "1821", "1822", "1823", "1824", "1825", "1826", "1827", "1828", "1829", "1830", "1831", "1832", "1833", "1834", "1835", "1836", "1837", "1838", "1839", "1840", "1841", "1842", "1843", "1844", "1845", "1846", "1847", "1848", "1849", "1850", "1851", "1852", "1853", "1854", "1855", "1856", "1857", "1858", "1859", "1860", "1861", "1862", "1863", "1864", "1865", "1866", "1867", "1868", "1869", "1870", "1871", "1872", "1873", "1874", "1875", "1876", "1877", "1878", "1879", "1880", "1881", "1882", "1883", "1884", "1885", "1886", "1887", "1888", "1889", "1890", "1891", "1892", "1893", "1894", "1895", "1896", "1897", "1898", "1899", "1900".

General Affidavit

In the matter of Claim,
of T. M. Beck to Cherokee Indian
Citizenship

Affidavit of John H. Beck.
Indian Territory.
Cherokee Nation. 3

On this, the 13th day of
December A. D. 1892, personally
appeared before me, H. C. Kuhn-
feldt, a Notary Public, in
and for the county aforesaid,
duly authorized to administer
oaths, appeared John H. Beck,
aged 32 years, a resident of
Lenapeh, I. T., and State of
Ind. Terr., whose postoffice is
Lenapeh, Ind. Terr., who after
being duly sworn according
to law, says, that he is well
acquainted with one, T. M.
Beck, the Claimant named in
the above entitled claim to
Cherokee Indian Citizenship and
have known the said Claimant
for several years.

Affiant further states,
that the said T. M. Beck is
the identical person, whom he
represents himself to be.

no other, and is a direct lineal
descendant of the Jeffrey Beck,
Family, whose name he de-
clares, appears on the Census
Rolls, that were taken by the
United States Government by
blood, of the Cherokee Tribe
of Indians in the year, 1835.

Affiant further states that
he believes the said T. M. Beck
to be of Cherokee Indian Blood
and rightfully belongs to the
Cherokee Tribe of Indians.

Affiant further says that
the above statements are true
to the best of his knowledge
and belief.

(Signed) John H. Beck

Subscribed and sworn
to before me this 13th day of
December A.D. 1892.

H. C. Shufeldt

Notary Public

~~My Commission Expires Aug 1st 1893~~
I hereby certify that the above is
a true copy of the original

R. W. Bannan

Dist. Ct. Ch. C. H.

Nov 24 - 1895

45236

2

United States of America
Indian Affairs, Dept. of the Interior
Oct 12th 1892.

Personally appeared before me
after being duly sworn good and
discreet and faith

I was acquainted with one
Jaffrey Bear who lived in Ga.
in the old Cherokee Nation he
was recognized as a Cherokee
Indian he lived there as other
Cherokees and drew per capita
money. The applicant J. M. Bear
is the son of Bill Bear and
grand son of Jaffrey Bear and
is a member of the Bears
of the present Cherokee Nation
whose name will be found upon
the rolls of 1835-51 and 52. To the
best of my knowledge J. M. Bear
is a Cherokee Indian by blood.
I am a member of the Natl
Council and will render all of
my assistance to secure his citizen-
ship. John R. Grand ^{this} ~~mark~~

Witness my hand and subscribed to
at New Mexico the 12th day of Oct/92
H. M. Cherry. R. M. Cherry by Deputy Clerk
John R. Grand

Cherokee Nation }
Tahlequah District }

Personally appeared
before me, a clerk in and for
said district, Matt Christie
who after being duly sworn
according to law deposes and
says I am a Cherokee by Blood
and live in Tahlequah District.
That my address is Wauhatchie, I. T.,
and my age is 60 years. I am
well acquainted with Mr. T.
McBeck. I know him to be the
identical person he represents
himself to be and no other
and that he is a direct lineal
descendant of the Jeffery Beck
Family, whose name appears upon
the Census Rolls that were
taken by the United States gov-
ernment by Blood of the Cherokee
Tribe of Indians in the year 1835.
He further states that he
knows the said T. McBeck to
be of Cherokee Indian blood, and
rightfully belongs to the
Cherokee Tribe of Indians.
He further says that

The above statement is true
and correct to the best of his
knowledge & belief. I would
most respectfully ask that he
be admitted to all the right
and privileges, including lands
and money according to the
constitution of the Cherokee

and to be
admitted to the same

and to be
admitted to the same

and to be
admitted to the same

Exhibit - 2

United States of America
Western Dist of Ark

It was made a Commissioner of
the U.S. Court of the Western
dist of Ark.

Thos. personally appeared
before me after being duly sworn
deposed and said,
my age is 50 years, my name
Johnston is my name
I was acquainted with one
Jeffrey Reese who lived in
Georgia in the Old Cherokee
Nation he was very much
Cherokee Indian & was elected
as a member of Council in
the state of Ga in 1870 & spent
all the Cherokee in that state
amongst them & represented
on some favorable grounds
the Cherokee. Langley, Nichols, Evans
Becker and others I do not
remember. I presented all the
names of the Cherokee who
lived in the state of Ga to the
Council of the Eastern
of Cherokee and the

referred to the Committee
on Land Matters and the
Committee reported that
they were all Cherokee
and I was allowed a
seat the Applicant

T M Trest is a Son of
Bill Trest his former
name was Jeff Trest
a Cherokee Indian by blood
about who is a near
relation to all the Bears
of the present Cherokee
Nation whose name appears
upon the rolls of 1835-51-52
I would recommend that
T M Trest and his family
and relations be admitted
to all the rights and privi-
leges of the Cherokee Nation
to the best of my information
he is a Cherokee by blood.

Thos J Taylor

Witnessed

Geo M. Egan

I Sworn and Subscribed to before
me at Tahlequah Ind. Terr. this
Eleventh day of October A.D. 1892.

W. S. Adams

United States
Commissioner.

2659

R. M. Back

V.S.

Christie St.

Filed Sept 8th 1894

C. S. McKinnon
Clerk

Rept. back
to

17-1-17

in *ginsid*

[illegible]

[Faint handwritten notes at the bottom of the page]

... .. 1000 ft.

Journal of Management Studies, 19(6), 701-718.

1911

1917

1. *Chrysomelidae* (100%)

Journal of Management Studies, 19(1), 67-80.

Journal of Management Studies, 19(1), 67-80.

1. The first of these is the fact that the

... of the

that the 12th 12th was the day on

20. 2nd. 1899. 1st. 1899. 1st. 1899.

1940

and therefore it appears as if
the hypothesis is

1. The first of these is the fact that the
the first of these is the fact that the

the "Museum of the City of New York" (1880-1881)

1876, Dec. 20 - about 1000, not recorded

I have been thinking of the
 situation of the country
 and the people and the
 state of the Union.
 I think that the States must be
 united in the face of the
 danger which is before us.
 I think that the States must be
 united in the face of the
 danger which is before us.
 I think that the States must be
 united in the face of the
 danger which is before us.

2659
 R. M. Back
 vs
 Chas. W. St.
 Filed Oct 27 1878
 C. S. McKinnon
 Clerk

End

3332

Indian Territory
Northern Judicial District - On this 3rd
day of August 1896 - Came one Joseph Robinson
before me - declares on oath, that he
is 67 years old - he knew one Isaac Jackson
from North Carolina - who was a half breed
Cherokee Indian - who often came down into
South Carolina, Goose Creek Parish, to spend
with his old Master, Robert E. G. Haynes -
He was then twelve years old and was
hunted for his Master, the said Robert
E. G. Haynes - His Post Office address is
Lee Indian Territory -

Joseph ^{him} Robinson
more

Witness to me
J. R. Haynes
J. R. Haynes

Seen to and subscribed before me
this the 3rd day of August 1896 -
Joshua Rofs
Notary Public

Application
Amos J. Coats
and Family

to purchase

File 1896
H. M. Coats
1896

Receipt

Receipt 1896

original

Lexington & Lincoln County
Cherokee Territory
Before me John Smith
A Notary Public
in and for Lincoln County
Cherokee Territory
Personally known William G. Cook
well known to me

Exposuer says that he lives
in Cherokee County Ch. Ter.
that he is twenty two years old
that his occupation is farming
and that he is well and personally
acquainted with Andrew J. Cook
and knows him to be the son of
Margd. Cook the sister of one
G. A. Cook - who was a one fourth
Cherokee Indian and lived in
the old Cherokee nation in North
Carolina and was a recognized
Citizen of the same
W. G. Cook

Subscribed and sworn to before
me this 1st day of August A.D. 1896
Real Smith

My com. Expires July 22-1899

Springton Cheyenne Territory
to the Honorable
Quas Bogumition
County D. V.

I hereby make application for
Citizenship in the Cherokee Nation
for my self and family
the names are as follows

Andrew G. Coote is my name age 47 years
Dora A. Coote wife name age 23 "
Thomas R. Coote eldest son age 17 "
Hansford B. Coote son " 17 "
Hanna Coote daughter " 15 "
Elizabeth B. Coote " " 12 "
David P. Coote son " 6 "
Lillie Coote daughter " 3 "
William A. Coote son " 2 "
Anna M. Coote daughter " 5 months "

I base my claim on the following
that I am the son of Murry B. Coote
who was the daughter of one
Isaac Jackson who was one fourth
Cherokee Indian the fact of which
has been proven in the case of uncles
D. R. Jackson W. J. Jackson and
H. R. Jackson now pending before
you for your consideration in the persons
of Walter Crista and Mr. White

I enclose the necessary
affidavits to certify my self
with the Guadalupe family
I truly hope and trust that the
time has come that we may
be admitted to citizenship in our
Nation and be enabled to enjoy the
rights and privileges that we are
justly entitled to
Chas. Miller Cristie and Mr. White
are brave & heroic Indians and
Krognuzet is a man of great reputation
Yours truly
Andrew J. Coote

Subscribed and sworn to before me
this the 7 day of August 1871

Wm. L. Smith
My Com. Expires July 22 1872

Territory of Oklahoma }
County of Cleveland }

Before me Neal Smith
A Notary Public in and for
Cleveland County Okla. Terr.
Personally appeared

Robert. Gavin After being duly
sworn Deposes and says that he
knows Andrew J. Poots and knows
him to be the son of Mary B. Poots
who was the daughter of one Isaac
Jackson who was a one fourth
Cherokee Indian by blood and
lived in North Carolina in the
old Cherokee reserve and was at that
time recognized as an Indian Citizen
by the Cherokees. Affiant states that
he is seventy five years old and
has known Isaac Jackson and
his family about sixty three years
and knows them to be Cherokee
Indians by blood and descent
affiant further states that the family
always claimed to be Indian by
blood where ever they lived and
the most of them shows Indian
in their general appearance

Affiant States that he lives in
Pawnee, Oklahoma Territory
and that he is not interested
in claimants cause either
directly or indirectly
Robert Evin

Subscribed and sworn to before
me this the 22d day of August A.D.
1896

Neal Smith
Notary Public
My Com Expires July 22 1900

member of the Cherokee Tribe of Indians.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY, : SS. AFFIDAVIT.
SOUTHERN DISTRICT.)

Personally appeared before me, J. R. Shaver, Notary Public in and for the said District and Territory, George D. Latham, being by me first duly sworn, declared in relation to the above named claim as follows, to-wit:-

That the affiant is a citizen of Cleveland County, Indian Territory, residing near Lexington, O. T., and is the next of kin of affiant; that affiant has known the claimant, Andrew J. Coats, about thirty-five years, the affiant claimant being born and raised together in Panola County, Texas; that affiant knows the claimant to be the son of William B. Coats and Mary B. Coats; that the said Mary B. Coats, was, according to family tradition, the daughter of Isaac Jackson, of Madison County, North Carolina, who was one fourth Cherokee Indian, and who was in the rolls of the Cherokee Tribe. That the said Mary B. Coats, mother of the applicant, is now dead.

That affiant has been intimately acquainted with the claimant since childhood and he has always been told in the family that the claimant and his mother had Indian blood in them; that the claimant and his family always claimed that they were Cherokee Indians by blood and it has always been understood in the family and where they resided that they were Indians.

That the affiant has known the claimant since childhood and he has always been told in the family that the claimant and his mother had Indian blood in them.

That the applicant was born and raised in Texas and moved from there to the Indian Territory about ten years ago and that the applicant now lives in Pottawatomie County, Indian Territory where he has resided for the last eight years.

Subscribed and sworn to before me this 1st day of August, 1907.

J. R. Shaver
Notary Public.

My commission expires June 15th, 1908.

County of Cleveland } 58

Franklin M. Snider of Lawful age
being first duly sworn before said Judge
I am 56 yrs of age and am well acquainted
Andrew J. Coats have known him
all his life and I was well acquainted
with his Father William C. Coats and Mary
B. Coats. wife of William C. Coats whose
Maiden Name was Mary B. Jackson and
was well acquainted with her Father Isaac
Jackson Grandfather of Plaintiff.

Andrew J. Coats and the said Isaac
Jackson claimed to be 1/4 Indian Cherokee
and was generally known as an Indian
and looked very much like the Cherokee
Indians In fact resembled them so much
that any one could tell that they had
Indian blood in them and all the Family
have always claimed to be Cherokee
Indians and most of them show to be
Indians by their looks my Post office
is Silver City N.M. Witness my hand
this 13th day of Aug 1896

Franklin M. Snider

Subscribed and sworn to before me
this 13th day of Aug 1896

J. M. Higinbotham
Notary Public

my commission Expires Dec 12th 1898

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

Nation's No. 2/36-
Commission's No. _____
In re Application of

Audrey J. Coats
et al.

Demurrer and Answer.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Andrew J. Coats et al
for citizenship in the Cherokee Nation.

Nation's No. *2136*
Commission's No. _____

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Isaac Jackson* through whom the petitioner claims to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Haring, Hutchings & Baudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17* day of *Sept*, 1896.

NOTARY PUBLIC.

End

3333

1

No 3333

Samuel L. Wardell

v.s.

Cherokee Nation

Official Order of
U.S. Court

10-4 ✓

#41

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT.

SS.

In the United States Court for said District.
In the matter of the application of
Samuel C. Ward et als
to be
enrolled as citizens of the Cherokee Nation.

TO THE Commission to the Five Civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of
Samuel C. Ward et als

Cherokee

to be enrolled as citizens of the Nation, from said
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a
transcript of all the entries made in the docket of your tribunal relating to the case, together with the
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the
seal thereof, at Muskogee, Indian Territory, the 14th day of
Dec. 1896.

A.D. 189

J. A. Winston Clerk.

End



IN

PETITION OF

James D. O'Keefe

or and on behalf of

and heirs

John D. O'Keefe

Filed Sep 7-1892

at 10 o'clock

James D. O'Keefe

Attorney for Petitioner.

Attorney for Petitioner.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. LAWES FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CABANISS and ALLAN LEE B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation.

GENTLEMEN: The undersigned, your petitioner,

for and on behalf of

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and herewith submit the

in support of said claim, and request a hearing at the time when application shall be heard and tried.

Enrollment of family with relations attached as follows:

| NAMES. | AGE. | RELATIONSHIP. |
|----------|------|---------------|
| John Doe | 45 | Head |
| Mary Doe | 40 | Wife |
| John Doe | 15 | Son |
| Mary Doe | 12 | Daughter |
| John Doe | 8 | Son |
| Mary Doe | 5 | Daughter |
| John Doe | 3 | Son |
| Mary Doe | 2 | Daughter |

In witness of which I hereunto set my hand on this 1st day of January, 1896.

Witness my hand and seal this 1st day of January, 1896.

REGISTRY RECEIPT.

Post Office at

Uman I.T.

Registered Letter
Parcel

No.

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Rec'd

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Livingston & Jackson
Uman I.T.

addressed to

To The Hon S. H. Mayes
Tahlequah I.T.
C. H. Phillips P. M.

Hardin Blansett
vs
Elizabeth Cotner
Cherokee Nation -

"Exhibit A"

See Affidavit of
Petitioner

Affidavit of
Hardin Blansett

United States of America -
Indian Territory -
Before the Honorable Dances Commission

Hardie Blauett -
vs
The Indian and Other

Cherokee Nation

At this 2nd day of Sept 1890 - personally
appeared before me, Hardie Blauett -
well known and being first duly
sworn depose that & say -

My name is Hardie Blauett -
am the same person mentioned
in some of accompanying Affidavits
as Howard Blauett -
I am of Cherokee Indian blood
through my mother, whose maiden name
was Sarah Elizabeth Gentry -
She was the lawful wife of my father
William B. Blauett -
My Mother's Mother, maiden name Martha
Ballard, was the lawful wife of Mother's
father, Shedric Gentry - Both of
said Grand parents were Cherokee
Citizens by blood and so recognized
by the Cherokee authorities at their
removal west - Said Grand parents
moved from Knox County Tennessee
to Jackson County Alabama - where
they my parents lived and are now

was born March 12th 1851 -

Said Grandparents John C. [unclear]
was about 8 years old - [unclear]
then they were said to be in Pocomantas
Ar Kan sa - this was about 25 [unclear]
Fall of 1869. Father - my self - [unclear]

John A. Columbus & my Sister Perlina
Elizabeth Cotner - Joint Applicants
of Alabama - my Mother - [unclear]
years before our leaving Alabama -
113 Cause to the [unclear] Indian
Territory, Staid a month or so & returned
to Texas - where Bro. Columbus and -
[unclear] all came back to Cherokee
[unclear] about 1874 - [unclear]
made Application for Citizenship [unclear]
the Cherokee Act of 1870 & 1871 - and the
General Invitation Act - But the
Cherokee Authorities didn't have [unclear]
or in a humor to entertain our claims -
So we never got them to take our claims
up until the Adair Cherokee [unclear]
Commission took our Application -
[unclear] ruled us out on some [unclear]
both form of our Affidavits - [unclear]
get no Attorney to represent us [unclear]
them at [unclear]
However my Sister Perlina [unclear]
(wife of Jacob Cotner) and myself [unclear]
us [unclear] - accumulated [unclear] &
made our [unclear] on the [unclear]
of our Claims & this General [unclear]

About 1880 - ... for this ...
 ordered us not to ...
 When we forward ...
 of our Blood & rights ... the Secretary
 of the Interior at Washington D.C. &
 upon which he ordered the Indian
 Agent to Countermand his order in
 our cases - on ground of our
 Three Affidavits making a
 facie showing of our Cherokee
 Citizenship - Which Affidavits are
 on file in Indian Affairs at
 Muskogee & S. Said Agent informs
 me he has record of their filing, but that
 we can't find the three Affidavits.
 The three Affidavits are now ...
 and ... Cherokee admitted
 Citizens & ... My Brother and father
 died here in Cherokee Nation at ...
 Texas - ...

My present family consists of my
 Wife ... Age 27
 My Daughter -- Sarah Elizabeth ... 21
 " -- Laura Adella ... 19
 " -- Martha Francis ... 16
 " -- Arkadelphia ... 15
 " -- Etta ... 6
 " -- Bessie ... 3
 Son -- Oscar ... 4
 Son -- Walter ...

Signed - Gordon Blansett

Subscribed before me this 3 day
 of Sept. 1896 J. B. ... Notary Public
 My Comm. Ex. 9, 21, 99

Harlan Blansett
9 Elmwood St. Boston
or
Cherokee Nation -

Exhibits

Affidavit of
Mary Carless

[illegible]

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And further, Cuffiant States
that she was with and personally
acquainted, Shadick Gentry and his
wife Martha Gentry whose real
name was Martha Blalock. Cuffiant
States that the Scind Shadick Gentry
and his wife Martha were both black.

and by blood & name & so
as to be entitled to the same, to wit:
that the said John, and that
said John & his wife Martha
were married to each other;
and that the
said Martha could not
speak English fluently but spoke
the Cherokee Indian dialect.
Affiant states that the said
John & his wife Martha had
a daughter by the name of Sarah
Elizabeth Kent who married
the name of
William Blissett and that the
said William Blissett and his
said wife Sarah had
2 sons & 2 daughters born to them
in the name of William
& a daughter by the name of
Martha Blissett who married
a man by the name of Jacob
Horton. Affiant states that he
was acquainted with the grand
jurors of the court in the
State of Alabama in Jackson
County; Affiant states that the
said Claimants Haden Blissett

and Pauline Cotton are Cherokee
blood and are now
living in the Cherokee Nation, I. T.
and are claimants for Cherokee
rights. I am a member of the
Indian Society.

And further

~~It is a fact that~~
I was born on the 27th day of July 1876
Happy C. Cotton ^{high} (Seal)
P. Taylor 1 J. Seal

Hardin Blausett
+
Purlina Elizabeth Cother
vs
Chiropractic -

• "Exhibit B"

David A.
"J.S. Kozak"

On 28th of Aug 1870
appeared before me
J. S. Lucas a Notary Public
within and for the Northern
Dist. D. T.

C. S. Ross, who after being sworn
told me he is about 67 years
old that he was born in the State
of Alabama adjacent States
that he was well and personally
acquainted with Shedrie
Dentrey and his wife Martha
Dentrey. His name was
Martha and he appoints States
that the said Shedrie Dentrey & his
wife Martha was both Cherokee
and was considered by their
neighbors and those who knew
them as such of them to have
been Cherokee Indians and
that neither Dentrey could
speak the English language
plainly adjacent States that the
said Shedrie Dentrey and his
wife Martha had a daughter
by the name of Elizabeth
Dentrey who married a white
man by the name of Tom

28 / Aug 1870

Planned before me
was J. S. Lucas a Holary Public
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Exs Ross
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Subscribed and sworn to
before me this 25 day of
May 1876

J. S. Lucas
Notary Public
My Com. Ex. 921, 99

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Subscribed and sworn to
before me this 25 day of
May 1876

J. Lucas
Notary Public
My Com. Ex. 921, 99

arden 13 June 11
K. L. W. A. G. H. C. O. H.
X
Inspection -

2

Indecent
to the State of New York

In the case of
 Claiborne & his son, the latter
 whose maiden name was Sarah
 Claiborne, & who are claimed to have
 been the mother of the body for Claiborne
 is based upon. Think her
 blood. C. T. 1371 July 1876

of the same to be considered
by their neighbors & those who knew
them, and that each of them claimed
to be Cherokee Indians by blood
and that the said Martha ^{Centers}
could not speak English but
spoke the Cherokee dialect
Affiant testified that the said
Shadrach Centers and his wife
Martha had a daughter by the
name of Sarah Elizabeth
Centers who married a white man
the name of William Blansett
and that the said William Blansett
and his said wife Sarah Elizabeth
had two children born to them
the name of the son of Harlan & a
daughter by the name of Pauline
Blansett who married a white
man by the name of Jacob C. T. T.
Affiant states that she was
acquainted with the grand
parents of the said Harlan & Pauline
County Alabama. Affiant
states that the said claimants
Harlan Blansett & Pauline
Centers are Cherokee Indians by
blood and she said

in Illinois District Cherokee Nation
and are claimants to Cherokee
citizenship. Amos

Further affidavit says he not
knows anyone who had before me this 27 day

July 1896. I am a Deputy Sheriff Seal
J. P. Taylor J. P. Seal

Heide & Blaunette &
Pauline Collier
Cherokee Nation

Exhibit 1

Applicant of
Geo. Henson

and
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Harold Blauvelt
Pauline Collier
vs
Charles H. H. H.

Harold Blauvelt
Pauline Collier

I have been thinking of you
 and wondering how you are getting on.
 I hope you are well and happy.
 I have been very busy lately,
 but I have managed to find some time
 to write you. I have been thinking
 of you very much and wondering
 how you are getting on. I hope
 you are well and happy. I have
 been very busy lately, but I have
 managed to find some time to write
 you. I have been thinking of you
 very much and wondering how you
 are getting on. I hope you are well
 and happy. I have been very busy
 lately, but I have managed to find
 some time to write you. I have
 been thinking of you very much and
 wondering how you are getting on.

[illegible]

The undersigned do hereby certify
 that the within and foregoing
 is a true and correct copy of the
 original as the same appears
 in the records of the
 County of [] State of []
 and the same is a true and correct
 copy of the original as the same
 appears in the records of the
 County of [] State of []
 and the same is a true and correct
 copy of the original as the same
 appears in the records of the
 County of [] State of []

and

Chas Choate

Caleb ^{his} Hussey
 mark

Subscribed and sworn to before
 me this the 22nd day of July 1896-

J. H. Lucas
 Notary Public

Harold Blauvelt &
Pauline Cotter
Charles Watson

affidavit of
Thos. Watson

Harvard Band
and Percussion Corps
85
Charles Nelson

Apprentice
Percussion Corps

... of
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You will find the letter from the
 same person in the same place.
 The letter is dated 18th Dec 1881.
 The letter is from the same person.
 The letter is from the same person.

22 Aug.

2000

[illegible]

[illegible]

... ..
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... .. Affiant
... ..
... ..

Subscribed and sworn to before
me this 22th of Aug 1896

... ..
Notary Public
Mycom Ex 931, 599

Hardin Blount
Berline Cotner
vs
Cherokee Nation

Exhibit

Witness of
Toney Smith

William Kirk
Cherokee Nation } This day
Before me, Notary Public
said State of Ga. Nation
James Smith who being duly
sworn states

That he was
personally acquainted with
and that George G. Gentry and his wife
Martha Gentry were together
from March to March 1887
and Pauline Gentry, wife of
for Cherokee (Citizenship) and
said George Gentry and Martha Gentry
to be (known by blood) said the
Gentry and Martha Gentry were
residents of Chatahoochee County when
of first then and they were
making preparations to come to
Cherokee County with other
Cherokees then affiant last
saw them
affiant further states that he
is 70 years of age.

James Smith
Sworn to before me this 1st
day April 1887.

Wm. W. Warden (Notary Public)

Under the seal of
the State of New York
at New York -

Affidavit of
Martha J. Lin-

Exhibit A

Affidavit of
Martha J. Lin-

When
Illinois
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ation:
8.11.

(ss. On the 6th of June 1893.
Personally appeared before me
W. J. ... Notary Public for
the United States Court of the Indian
Territory, First Judicial Division,
District of Territory Afforesaid.
Martha ... long after being
one duly sworn on her oath states
that she is about fifty two years
of age that she was born in the
State of Indiana. Affiant states
that she was well and reasonably
acquainted with one Sherman
Gentry and his wife Martha -
Gentry whose maiden name was
Martha ... Affiant states that
the said Sherman Gentry and his said
wife Martha were both ...
... considered by their
neighbors those who knew them
that each of them claimed to be
... and that the said
Martha Gentry could not speak the
English language ... Affiant
states that the said Sherman Gentry
his said wife Martha had a daughter
by the name of Sarah Elizabeth Gentry
who married a white man by the
name of ... and that the
said ... his said

The first part states that the
the second part states that the
the third part states that the
the fourth part states that the

Apr. 18th + Fri. 1892

scribed to and sworn
to before me with the following
Oath, this 7th day
of June 1883, at Frank
Newark, N. J.
My Comm. Expires
June 30th
1884

Nardin Blansett
Herlma Elizabeth Cotner
vs
Cherokee Nation

Exhibit B

Refidari
Cherokee Nation

Report to Hon. Census Commission -
Albany

Martin, Claude
 Erminia, Maria Louisa
 v.
 Neurotic reaction

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[illegible]

of the same name as the Kansas
the mother had three sons
John and Christopher
both dead and my brother Larkin
Blansett, who was the oldest
is also dying with the
admission to citizenship
the said Kansas - the mother
died before 1869, when father,
brother Larkin & brother
all at the same time direct to this
Cherokee Nation - remaining
a month or more in Texas
where we lived 9 or 10 years & returned
here about 1874 - In the winter
of this return we applied at the
D.C. for admission as Cherokee
Citizens - and at the same time
being put off - mixed and died or until
finally the U.S. Cherokee Commission
took our application and without
hearing from us or by Attorney General
the same thing - out - returning
us that our Affidavits would be
got by us & submitted - This was
about 1/1886 - The following year was
ordered to move to the Indian land
we submitted three Affidavits to the Interior
Department at Washington D.C. Secretary
thereof countermanded Indian Agents
order of removal on ground of these
Affidavits making us ineligible.

My father & brother Columbus died at
our return here from Texas in 1879 -
The Brothers ^{Walter} and I, each, made
efforts to secure ^{citizenship} on
our return & application for Citizenship
in 1874 -

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Witnessed and sworn to
on this 1st day of Feb. 1896
J. B. Green
Notary
My Comm. expires

17

United States of America -
Southern Judicial District
Indian

To the Hon. Lemuel Evans and others
Commissioners of the Five
Civilized Tribes & Indians -

Caplan Evans
Plecker, etc.

Now before me, Hadden Blansett
Notary Public for
the Cherokee Citizens and that
he and his family as shown by
the accompanying Affidavits
marked Exhibits A, B, C
and D are entitled to be
enrolled and adjudged
as such citizens pursuant to the
Act of Congress governing said
able Commission -

It will more fully
appear that the above is a
by blood name as Mother a white, a son
Heath - name + ... is sent to
Martha Ballard - Both Cherokee and admitted
citizens

Hadden Blansett

Subscribed and sworn to before me this
the 3 day of Sep 1896

Witness
Notary Public
My Comm. expires ...

[Faint handwritten notes, possibly "The old Blauvelt"]

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that
I have compared the foregoing with the original record in this Department, and that the
same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed
the Great Seal of said Cherokee Nation, at Tahlequah, this, the

22nd

day of

Sept.

1891.

John L. Adair
Executive Secretary

Copy Page 173, Docket 5.

PAULINE COTNER..

OFFICE COMMISSION ON CITIZENSHIP.

Tableau, D. C., Sept 9th, 1887.

| Docket:No: | Names. | :Age: | Sex: | Home Office. | :Attorney. |
|------------|----------------------|-------|---------|-------------------|------------|
| : 1: | Pauline Cotner | : 33: | Female: | Salinas, I. T. | : |
| : 2: | William Cotner | : 10: | Male: | : | :A.E.Ivey. |
| : 3: | Allie Cotner | : 8: | Female: | Application for: | : |
| : 4: | Babe Cotner | : 6: | " | Cherokee Citizen- | : |
| : 5: | Robert J. H. Cotner: | 4: | Male: | Idem. | : |
| : 6: | Milton Cotner | : 2: | " | : | : |
| : | : | : | : | Rolls 1835. | : |
| : | : | : | : | : | : |
| : | VS. | : | : | Attorney, State: | : |
| : | Cherokee Nation. | : | : | and F. L. Gentry. | : |
| : | : | : | : | : | : |

OFFICE COMMISSION ON CITIZENSHIP.

Tableau, D. C., May 13th, 1889.

This application was filed on the 9th day of September, 1887.

There being no evidence in support of the application, and the names of alleged ancestors not being found on the Census rolls of Cherokees made in the year 1835, the Commission decide that Pauline Cotner, the applicant, is not of Cherokee blood, and not entitled to citizenship in the Cherokee Nation.

WILL B. ROSS, Chairman.

R. T. Smith, Secy.

Attest:

W. G. Ross,

Clerk Commission.

Nation's No. 2143

Commission's No.

In re Application of

Perline & Colner
et al

Demurrer and Answer.

FILED SEPT. 28 1897

A. S. McKEOWN

CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Proline & Colner et al

Nation's No. *2145-*

Commission's No. _____

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Shade & Eliza Bentley*

through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore
said applicant made application before a legally constituted Court, or Commission on citizenship, having
jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was
tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor
of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto
and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutches, Hodges & Bondurant*, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *22* day of *Sept*, 1896.

D. J. Ball

NOTARY PUBLIC.

Commission to the Five Civilized Tribes.

VINITA, IND. TER., 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, W. H. Hays, do solemnly swear that on the 5th day of September, 1896, I saw a package registered at the postoffice at Wian, Ill., addressed to Wm. H. Hays.

Governor or Chief of the Quereva Nation, Quereva
Ind. Ter., that registry receipt, No. 60, received from postmaster, hereto attached,

is a receipt for said package, which contained true copies of the application of Herminie
de la Motte and James H. K. and of the affidavits of Philip Cantor & James Smith
and Wm. C. Campbell & Wm. Carden & Ed. Kest & Johnston and George Thomas &
in support of same.

Subscribed and sworn to before me, on this 21st day of Sept 1896.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly received for by the Chiefs and Governors.

For the Commission.

Petition^{er}

Palma Sigatoka
for
Keruff & heirs -

See Applicant
inside
Respect

Attorney and Counselor
at Law for Petitioner

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner Perline Elizabeth Cotner
would state and show from the proof submitted to the Commission that she is a Cherokee by decent and
by blood having been born in Jackson County, State of Alabama
on 24th day of Dec 1854. My fathers name was Wm J. Blount
My mothers name was Sarah Elizabeth Ventres
That I now reside in Wian-Cherokee Nation Indian Territory
and have resided there for 18 years. And she avers these facts can be established by
proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And
she further avers that these facts being proved she is entitled to be adjudged under the laws of
such Nation and the laws of the Congress of the United States and the treaties of such Nation with the
United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in
such Nation. Wherefore she herewith respectfully submit to the consideration of the
Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship
and her name be placed upon the proper roll as a citizen of such Nation.

Signature Perline Elizabeth Cotner

Witness

James H. Powell



INDIAN TERRITORY,

Western Judicial Division

SS

NOW on this 1st day of Sept 1896
personally appeared before me John A. Cox
a Notary Public in and for said Territory
Perline Elizabeth Cotner who being
duly sworn upon his oath states that the facts set forth in the fore-
going petition are correct and true. Subscribed and sworn to be-
fore me this 1st day of Sept 1896.

John A. Cox

Notary Public.

Wm. C. E. 92197

End

3335

Nation's No. 11425

Commission's No.

In re Application of

Christen F. Nichols

Demurrer and Answer.

FILED SEPT 25 1906

A. S. McKENNA

— COURT —

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Christeen Tucker

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *has*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Red Siger*

through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Futchins, Hashins, Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this the *12th* day of *Sept* 1896.

D. I. Rice
NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation. } ss.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Christina Hancock for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Price Wm Price Daniel
Davis, Wm A Lewis, J. M. Baldwin,
Elisha Blinn

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the

4 day of September, 1896.

J. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

PETITION AND MEMORIAL.
FOR CHEROKEE INDIAN CITIZENSHIP.

To The Hon. Chas. Com

Your petitioner, *Christina Lumbeth*, earnestly and respectfully represents that he is *one*
fourth Cherokee Indian by blood, deriving the same from his lineal ancestor, the late

Red Ligon through *his father George Hart who*
was a son Catherine Hart a daughter of Red
Ligon a full blood Cherokee Indian

Your petitioner therefore submits to your honorable body the above statement of facts as grounds for her
application for Cherokee Indian citizenship as aforesaid in the Cherokee Nation and asks for a full and com-
plete investigation of her claim and if the same is found to be valid and correct as herein stated, that she be
allowed all the rights, privileges and immunities of other citizens of said Nation.

Petitioner's full name is *Christina*, age *66* years.

residence *Grayson Co* in the State of *Va*, postoffice address *White*

Top County of *Grayson* State of *Va* occupation that of a *Housewife*

I am married and have four children to wit
Jilla Age 33 years George E Age 30 Willard Age 19
Martha E Age 42

Attesting witnesses.

Most Respectfully Submitted,

[SEAL.]

Christina Lumbeth [SEAL.]

[SEAL.]

State of *North Carolina*

County of *Ashe*

Personally appeared before me, *D M Hart* a *Justice of the Peace*

in and for said county in the State aforesaid, *Christina*, the petitioner in the above

petition for Cherokee Indian citizenship in the Cherokee Nation, Indian Territory, U. S. A., who after being
duly sworn according to law states that the facts set forth in her said petition above are true as stated

therein, this the *7* day of *Aug* 1896.

Attesting witnesses.

D M Hart [SEAL.]
J.P.

[SEAL.]

[SEAL.]

Subscribed and sworn to before me, a *Justice of the Peace* as aforesaid, on this *7* day of
Aug 1896, and I do certify that I am personally acquainted with *Christina Lumbeth*
the said petitioner, and know that he is a credible person and entitled to full faith and credit before any of the
Courts of the State of *NC*, and that I have no interest directly or indirectly in the pro-
secution of her said claim for Cherokee Indian citizenship and am not related to him by blood or marriage

D M Hart J.P.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation. I. T.

STATE OF NORTH CAROLINA, ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he was and personally knew one Ned Sizemore,
who was a Cherokee Indian, of the Full blood then living in Ashe county,
county, N. C.; that said Sizemore prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affairs first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lydia who married James Blevins and another
daughter who married one Stanger, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George, among others, and Catharine who afterwards
married one Blevins and some time after one Caldwell, and Margery who
married one Walter Haskins, settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hask, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit as a truthful person.

[Signed] M. C. HASK, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Hask for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA,
County of Ashe.

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weavertown, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore, who was a full blood Cherokee Indian and made his home on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C. or Ga., some several years prior to the time said Justice first knew him, but that he made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore, married one James Hart, and has numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson county, N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON,

(Signed)

WILLIAM PRICE
Justice of the Peace.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this 11th day of August, A. D. 1896.

(Signed)

M. C. HASH, J. P.

The foregoing is a copy of an affidavit filed with the Hon. James Commission in the claim of Cornish Hester for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina. ss:
County of Ashe.

On this 19th day of August A. D. 1890, personally appeared before the undersigned Justice of the Peace, and before me at Ashe County, State aforesaid, Alfred Price, aged 76 years, a white male, single, residing at Crumpler, Ashe County, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe County, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe County, N. C., that said Ned Sizemore and the descendants of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances at the said Sizemore and in Ashe County, N. C., and had a numerous family of sons and daughters, among them was the father of Lydia Sizemore who married James Roswell and who was the mother of James, Ed, George, Wm. Plavins from whom have sprung a number of the present claimants; that Catharine was the mother of John, father of said Ned Sizemore who married one James Hart, who had several sons and daughters, Marger, who married Robert Hart, George Hart who was the father of Marger, Pearl and Cornelia Peak and Catharine Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Alliant states these facts from his own personal knowledge and belief.

Given, this Aug. the 19th, 1890.

[Signed]

ALFRED PRICE

Justice

Subscribed and sworn to before me this 19th day of August, 1890, and I certify that the contents of the foregoing affidavit are true and known to alliant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

L. HUBBARD, J. P.

The foregoing is a copy of an affidavit filed with the Hon. Justice Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, } ss.
Cherokee Nation. }

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory, William A. Lewis, aged
seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, af-
fiant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been so enrolled and who married Catharine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Sizemore
had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896

My commission expires

W. A. Lewis

[SEAL]

W. A. Lewis

Notary Public

Mar 27 1900

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. H. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe in said County, and that he is personally acquainted with Christina L. Caldwell who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Christina L. Caldwell is the identical person he represents her self to be in her application for citizenship in said Nation, and that he has known the said applicant for the past 13 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that she is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, 11 day of September, A. D., 1898.

J. H. Baldwin
M. B. Roberts, Notary Public.
My Commission expires, March 7, 1900.

3335

No 2247

Christina Fain
claimant
to Cherokee
Citizenship
Po White Top, Va

(Benson family)

Filed Sept 7-1896

A S McKinnon

~~Repealed~~

John Baldwin
Silas Brock
Mc

Affidavit of Titus
State of Virginia a)
Magistrate

Before me, J. A. Lindsey, Justice of the
Peace in and for the County and State
aforesaid, personally appeared Elisha
Blevins who states on oath that he is
94 years of age and a resident
of Asher
County NC that he is personally acquainted
with Christine Faircloth who is an ap-
plicant for citizenship in the Cherokee
Ind. That from his own personal
knowledge he knows that the said Chris-
tine Faircloth is the identical person she
represents herself to be that she is the
daughter of George Hart who was a son
of Catherine Hart who was a daughter
of Red Ligonore a full blood Cherokee
Indian. Affiant further states on oath
that he has known the said Christine
Faircloth for the last years and
that during that time she was known
known, recognized and treated by her
neighbors and the public generally as
a person of Cherokee Indian blood
that the said Red Ligonore emigrated
from the Cherokee Reservation in
NC and settled in Asher Co NC
affiant further states that the complexion
physical appearance language

manner of the said Christina
Faircloth indicate that she is of Cherokee
Indian blood and from these facts
and circumstances and from state-
ments made by the said Christina
Faircloth affiant has every reason to
believe and does believe that the said
Christina Faircloth is of Cherokee blood
affiant further states that he has no
interest directly or indirectly in the
prosecution of the claim of the said
Christina Faircloth to citizenship in
the Cherokee Nation and that he is
not related to said Christina Faircloth
by blood or marriage that she is of
white and Cherokee descent

Elisha ^{high} ~~low~~ ^{middle} Levins
Subscribed and sworn to before me
this 20th day of Oct 88 and I further
certify that I am well acquainted
with the said Elisha Levins and know
him to be a person of truth and
credibility and that I am not interested
directly or indirectly in the prosecution
of the claim of the said Christina
Faircloth

J. T. Spence J.P.

End

3334

No 3836

P. G. Earp Et al

^{U.S.}
Cheyenne Nation

Appellate Order of
U.S. Court.

b-60

NOTICE.

#774

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT.

ss.

In the United States Court for said District.
In the matter of the application of
B. F. Harp et al
to be
enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes.

You are hereby notified that an appeal has been taken in the matter of the application of

B. F. Harp et al

to be enrolled as citizens of the Cherokee Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 21st day of

Dec. 1896

A.D. 189

William M. Springer

Clerk.

End

3-151

REGISTRY RECEIPT.

Post Office at Red Oak I. T.

Registered Letter Parcel No. 20 Rec'd Sept 7 189 6

of A. B. Walker
Red Oak I. T.

addressed to Gen. Mangas Chief of Cherokee
Nation Tallegua I. T.

S. A. Clockler P. M.

100
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1000000

Before me A. A. Radford Clerk
of the Circuit and County Courts
of Ashley County Arkansas
personally appeared before
me Wm. A. Roby well known
and after being duly sworn
deposes as follows—

1st My name is Wm. A. Roby I re-
side in Ashley County Arkan-
sas I am fifty years of age
his occupation a lawyer and
a judge of County and
probate Courts of Ashley County

2nd I have Jos M. Clingman and
his sister Mrs Amanda Shep-
herd Fountain they are son
and daughter of Francis Prin-
dexter Clingman who was
a brother of Alexandria Brandon
Clingman who was one of
Peter Clingman and
Clingman, his wife

3rd The statements in 2nd paragraph
is made partly from personal
knowledge and partly from

family legends as regards
which I have heard and
read I have been closely con-
nected with the Chapman fam-
ily from my earliest recollection
Mr A Reby

Given in witness
the 10th Sept 1895

A. A. Reby

No. 9 Affidavit of
J. W. Klingman.

Red Oak, N.Y.

This is to certify that I have this
day sent by Registered Mail a package
to Governor Meyer - Chief of Character
Nation and Perry at Tahlequah, N.Y.
Register No. 20 This September
day 1896

A. B. Walker

Subscribed and sworn to before me
this the 7 day of September 1896

J. W. Johnson

Notary Public

Joseph H. Livingston
 Amanda S. Fontaine
 to Livingston -

Burnt born - Ala -

This is to certify that I (Minerva) or
Amanda S. Fountain of Louisa Co. Ala. and
Joseph W. Clingman of Red Oak and Perry,
are the only surviving children of Francis
Poindexter Clingman who was the son of Ann
Poindexter and Peter Clingman and was born
at Huntsville N. C. on Feb. 19th 1811 Said Ann
Poindexter was born Nov 25th 1787 and was
married to Peter Clingman Jan 14th 1806
To the best of my knowledge & belief said Ann
Poindexter was the great grand daughter
of Thomas Poindexter and Bettie Pledge I
moreover certify that my father Francis Poindexter
Clingman was the brother of Dr. Alexander B.
Clingman late of Clark Co. Ark. & I claim for
myself & my brother to be equal heirs with the
children of said Alexander Brandon Clingman
The before mentioned Ann Poindexter Clingman
had a brother Thomas Poindexter of Homburg Tenn.
who left heirs & I claim that my father was an
equal heir with them of Bettie Pledge and
in behalf of myself & my brother Joseph W.
Clingman I beg to receive our just share
of any property or money to which as de-
scendants of Bettie Pledge we may be enti-
tled

I have three children Hugh C. Fountain
Mary L. Fountain & Francis S. Fountain
aged respectively 16 - 14 & 8 years all born
at this place

Mr. G.
Jesse, Ch. W. C. Kingman Son, Brook
C. Good's Station & Co.
Hart. 2002

Richd. A. Linnards
F. B. Walker, Atty
Red Oak
Lind. Ferry

James H. Thompson for 100
to Howard's father & Co.

James H. Thompson
100
to Howard's father & Co.



LAWRENCE MIVELAZ PROP

Fort Smith, Ark.

189

To The Hon. James Connors
Sainte V. T.

Sir

Sir

This is a list of the names
and addresses.

- No. 1. Amanda L. Connors - By Blood
Charlotte Indian -
- No. 2 & 3. William L. & Jas. R. Strickland
By Blood - Charlotte Indian -
- No. 4. John D. Kennedy - Son of Missio-
nary - Choctaw by Adoption -
- No. 5. John D. Kennedy - By Marriage
Charlotte Indian -
- No. 6. Little, P. Sexton - By Marriage
Choctaw Indian -
- No. 7. Lou. Sexton By Marriage
Choctaw Indian -
- No. 8. Sarah J. Perkins - By Blood
Charlotte Indian -

15, 9. Application
Joseph W. C. Morgan
and Amanda Fountain

For
Enrollment in the
Cherokee Nation

Filed on the day of
1896.

M. S. Cannon
A. B. Walker Atty
For Petitioners

General Application
10-15-10
10-15-10
10-15-10

Petition For Enrollment.
Before The United States Commission To the
Civilized Tribes of Indians -

Joseph W. Livingston - et al. Petitioner
No. Petitioner. For admission
to the Cherokee Nation and enrollment
therein

To the above mentioned honorable Commission.

Your petitioner Joseph W. Livingston
states that - Betler Pledge, was a
Native Indian by blood. was duly recognized
by the proper authorities as such in the
State of North Carolina and enjoyed
all the rights, privileges, benefits and immunities
of other Cherokee Indians by blood. in the said
Cherokee Nation or Tribe of Indians and that the
name of the said Betler Pledge - appears on
the authentic Roll of
the said Cherokee Indians for the year 1818.

That petitioner is a direct descend-
ant of the said - Betler Pledge - to wit -

Betler Pledge - was petitioner's Great-
Grand Grandfather who was a Cherokee Indian
and married Thomas Poinexter who was petiti-
oner's Great-Grand Father - and the father
- Francis Poinexter - Petitioner's Grand Father.
Francis Poinexter was the Father of Anne.

The said petitioner who is petitioner Grand Mother -
 who is the mother of Francis P. Blingman,
 son of the late Joseph M. Blingman and
 daughter of the late John M. Blingman,
 your petitioner -

That under the Constitution, Laws, Usages and
 Customs of the said Cherokee Nation or Tribes of
 Indians - and the Laws of the United States and
 Treaties with the said Indians - your said
 petitioner is entitled to be admitted and
 enrolled as Citizens and Members of said
 Nation - Tribes of Indians in the Indian
 Territory - and entitled to all the Rights
 Privileges and Immunities of other
 Citizens of said Nation or Blood -

That there are now living
 the following named persons - to wit:

| | |
|--|--------------------|
| Joseph M. Blingman & daughter | 4 years & 8 months |
| Francis P. Blingman & Son | 12 " " " |
| John M. Blingman & Son | 9 " " " |
| Joseph M. Blingman & Son | 5 " " " |
| Francis P. Blingman & Son | 3 1/4 " " " |
| John M. Blingman - His Wife | 32 " " " |
| Joseph M. Blingman (His Blingman) His Sister | 46 years |
| Francis P. Blingman His Husband | 47 years |
| John M. Blingman His Son | 16 " |
| Francis P. Blingman His Daughter | 14 " |
| Joseph M. Blingman Son | 8 " |

Therefore the premises considered, your petitioners
prays that their names with those of Joseph
H. Clingman and Amanda S. Fountain or
Clingman with their said descendants - To wit
Rosella S. Francis, A. Willis S. Harry, H. John H.
Jr. and Abby J. Clingman my wife and my
sister and her children - Amanda S. Fountain
or Clingman, Hugh S. Mary L. Francis, S. and
her husband Hugh T. Fountain - and
Joseph H. Clingman (Sr.) Be Enrolled and
Admitted to all the Rights, Benefits, Privileges
and Immunities of other Cherokee Indians in
and to the Cherokee Nation or Tribes of Indians
in Indian Territory, and your petitioners
will ever pray

A. B. Walker - Atty

This petition is supported For Petitioners

by Affidavits of Henry
Clingman & Mrs Walter
All affidavits in
by Gibson - which is
the same as
in the ~~original~~ - claim

also the accompanying Copy of Record

The aforementioned Petitioner Joseph
H. Clingman - Says that the Statement set
forth in the above and foregoing petition
are true according to his best knowledge
information and Belief -

Joseph H. Clingman Petitioner

Subscribed and Sworn to Before me
this 7th day of September A.D. 1896
W. W. Dyer
Notary Public

No. 9. Application
of Joseph M. Dickinson
And Howard Fountain
For
Inrollment in
Cherokee Nation
Filed on the day of
1896.
— m. d. Lamm
A. B. Walker, Atty
For Petitioners
General Application
for Inspection
of West
Indian

No. 1012

APPLICATION OF

Amanda J. Lowrey Et. Al.,

Enrollment in General Nation

Filed on the 7 day of Sept. 189

H. W. Jackson
Sec. U. S. Com. Five Civ. Tribe
J. H. Hallen

CAPITAL PRINT, South McAlester

an
Pyridine

Dear Sam:

Garrison

W. W. Rich
Notary Public.

APPLICATION FOR ENROLLMENT

Before the United States Commission to the Five Civilized Tribes of Indians

Amanda J. Bonaway PETITIONER

APPLICATION FOR ADMITTANCE AND ENROLLMENT

Cherokee VS. Nation Indian Territory RESPONDENT

TO THE ABOVE NAMED HONORABLE COMMISSION

Your petitioner *Amanda J. Bonaway* states that *her best Grand Father* ^{*mother*} was a *Cherokee* Indian by blood, was duly recognized by the proper authorities as such in *The Old Nation Cherokee* and removed all the rights, privileges, benefits and immunities of other *Cherokee* Indians by blood in the said *Cherokee* Nation or Tribe of Indians, and that the name of the said *Esau James Pegg James* appears or should appear upon the authenticated rolls of the said *Cherokee* Nation for the year *1880*.

That the petition is a lineal descendant of the said *Esau James Pegg James* to-wit: *My Grand Father James was Joseph James. At Son of Esau and Pegg James - whose name appears on the Rolls of the Cherokee Nation of 1880. My Mother's name was Emily James. She married my Father whose name was John Lester - (Lester) was a white man. I Amanda Lester Bonaway, married a man named John Bonaway in the year of 1867 - Jan 18. These are the names of my Family and husband and son in law and daughter.* That under the constitution,

laws, usages and customs of the said *Cherokee* Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said *Cherokee* Tribe of Indians in Indian Territory, and to enjoy all the rights, benefits, privileges and immunities of other *Cherokee* Indians by blood.

That there are now living legal descendants of your said petitioner *eight* persons as follows to-wit:

| | | | | |
|-------------------------------|------------------|-----|-----------|--------------|
| <i>Mary E. Luttin Bonaway</i> | a daughter | and | <i>27</i> | years of age |
| <i>Sarah E. Bonaway</i> | a " | and | <i>26</i> | years of age |
| <i>Robert Bonaway</i> | a son | and | <i>23</i> | years of age |
| <i>Albert L. Bonaway</i> | a " | and | <i>22</i> | years of age |
| <i>Ellen R. Bonaway</i> | a daughter | and | <i>19</i> | years of age |
| <i>Martha J. Bonaway</i> | a " | and | <i>7</i> | years of age |
| <i>Charlotte J. Bonaway</i> | a " | and | <i>4</i> | years of age |
| <i>Aminda A. Bonaway</i> | a " | and | <i>9</i> | years of age |
| <i>Angie M. Luttin</i> | a Grand daughter | and | <i>3</i> | years of age |
| <i>John Bonaway</i> | a My husband | and | <i>52</i> | years of age |
| <i>Joseph O. Luttin</i> | a son in law | and | <i>34</i> | years of age |

Wherefore, the premises considered, your petitioner prays that *Amanda Bonaway* name, with those of

her said descendants to wit *Mar. 10. 1871. 1871. 1871.*
Sarah, E. Robert. Albert L. Ellen R. Martha J. Charlotte J.
Alvinda A. Louway - Grand daughter of the late
son of the late of the late
and *Alvinda J. Louway*
enrolled and admitted to all the rights, benefits, privileges and
immunities of other *Cherokee* Indians, in and to the *Cherokee* Nation or
Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence, namely:
No Record - File at Washington - Let it be done Alvinda
Charlotte White Person - Affidavits Filed with the
Cherokee - Council at Tallahassee - 1871 - 1871
ago.
and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner
will ever pray, etc.

A. B. Carter
Attorney for petitioners.
The aforementioned petitioner, *Alvinda J. Louway* states that the statements
set forth in the above and foregoing petition are true according to his best knowledge, information and belief.
Alvinda J. Louway Petitioner.
Subscribed and sworn to before me, this *29* day of *May*

W. W. Tate
Notary Public.
No. *1072*
APPLICATION OF
Alvinda J. Louway Et. Al.
FOR
Enrollment in *Cherokee* Nation
Filed on the *29* day of *May* 1871
at *Washington*
S. C. U. S. Com. P. O. File
A. B. Carter
Attorney for Petitioner.
CAPITAL PRINT, South Webster.
A. B. Carter
Alvinda
Alvinda
Alvinda

Nation's No. 3578.

Commission's No.

In re Application of

AMER. J. CONSUMER, et al.

Demurrer and Answer.

FILED SEPT. 28 1911

A. S. J. HENRY

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Atlanta J. Conoway, et al.

Nation's No. 5578.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that E. and R. Jones

through whom the petitioner S. claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

26 day of

1896.

John L. Adair
D. L. Will

NOTARY PUBLIC.

1560

3337

Nation's No. 3579:
Commission's No.
In re Application of

Joseph W. Clingan, et al.

Demurrer and Answer.

FILED SEPT. 28 1896. ☆

A. S. MCKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Joseph W. (Lincoln), et al.

Nation's No. 3579.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~are~~ entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that. ~~Noty Please~~

through whom the petitioner's claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Bondinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

26 day of Sept. 1896.

J. J. Bell

NOTARY PUBLIC.

End

3-333

Nation's No. 1427
Commission's No.

In re Application of

Esther Springer

Demurrer and Answer.

FILED SEPT 25 1908
A. S. LICKER

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

John L. Adair

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *Adair*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

John L. Adair
through whom the petitioner claim to derive *his* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *John L. Adair, Executive Secretary* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *17th* day of *April*, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY,
Cherokee Nation.

I, H. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of Carthage K. K. K. for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of Alfred Rice, Wm Rice, Sam'l
Lewis, A. Lewis, J. M. Baldwin,
John D. K.

In support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Winton, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, 7 day of September, 1896.

H. N. Baldwin
Notary Public

My Commission Expires Mar 7th 1900

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA, ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after said first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family, of sons and daughters, one son Owen
Sizemore, had a daughter Lydia, who married James Blevins and another
daughter who married one Stomper; from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George, among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hish and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed] SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest
J. H. BARTON,

[Signed]

WILLIAM x PRICE.
his mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by
(Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe, }

On this 19th, day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:
INDIAN TERRITORY, } ss.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory. William A. Lewis, aged
seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, af-
flant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been so enrolled and who married Catharine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Siz-
more had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
flant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

My commission expires, *March 1900*

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation.

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. F. Baldwin, who after being by me duly sworn states that he is 36 years of age, and a resident of Ashe County, and State of North Carolina, whose postoffice address is Ashe, in said County, and that he is personally acquainted with William C. Dyer, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said William C. Dyer is the identical person he represents himself to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 13 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, 3rd day of September, A. D., 1899:
M. A. Gibbs, Notary Public.

My Commission expires, March 7, 1900.

No. 2249
Cottonmouth
to 3 White Top Indian
3 Cottonmouth
B White Top Va

(Sizemore family)

Filed Sept 7-1892

A S McKinnon

Arise

Respectfully

John Baldwin

Lucas Lusk

NC

of David of Wilmes
State of N.C.
Co of Ashe
Before me the undersigned and for the County
and State of said personally appeared ~~Stephens~~
who after being by me duly sworn states that
he is 94 years of age and a citizen of said
County and State of N.C. and that he is personally
acquainted with Catharine Dolinger who is
an applicant for citizenship in the Cherokee nation
and he affirms further states that the said Catharine
Dolinger is the identical person that she represents
herself to be her application for citizenship
in said nation and that the said Catharine Dolinger
who was a daughter of N.C. Baldwin who was a son
of Mrs W Baldwin who was a son of Catharine
Caldwell who was a daughter of ~~Stephens~~
Hart who was a daughter of ~~Stephens~~
who was a blood ~~relative~~ Cherokee Indian
affirms further states that he has known the said
Catharine Dolinger for the past 27 years and now
that she is and has been recognized and treated
by her neighbors as a citizen and the public as
as a person having blood Indian blood
and that comparison of her appearance language
and manner of the said Catharine Dolinger
indicates that the said Catharine Dolinger is of
Indian blood that from the above facts and
other instances and from statements made to
her by the Catharine Dolinger affirms states he has
every reason to believe and also believe that the said
Catharine Dolinger is of Cherokee Indian blood

affiant further states that he has no interest
what ever in the prosecution of the same
of the said Catharine, relative to Citizenship
in the Cherokee nation I. J. and that is not
related by blood or Marriage to the said
Catharine & Oliver T. S. She is of of white
and Cherokee blood. I have
subscribed and sworn to be for me
this 5 day of Aug 1896 and I further
certify that I am well acquainted
with the said Catharine & Oliver
and knows her to be a person of credibility
and of truth and veracity

STATE OF NORTH CAROLINA.
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that Paul
Hart Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn; that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 7. day of August, 1896.

P. Blevins
Clerk Superior Court.

End

5309

Nation's No. 1064.
Commission's No
In re Application of

Jordan Davis, et al.

Demurrer and Answer.

FILED SEPT 25 1896 ☆
A. S. LICKERSON

— COM'Y —

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Jorge Davis, et al.

Nation's No. 1064.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that: Red Sizemore

through whom the petitioner claims to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 1st day of May, 1896.

NOTARY PUBLIC.

SERVICE AFFIDAVIT.

INDIAN TERRITORY.
Cherokee Nation.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1896, I, in person, delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS, Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

John Davis for Citizenship in the Cherokee Nation, Ind. Ter.,

and of the affidavits of *Sam'l Davis, Alfred Price*
Wm Price, Wm A. Lewis, Eliza Blevins

In support of same, the originals of which are now filed with the Honorable DAWES COMMISSION, at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this, the *7* day of September, 1896.

J. N. Baldwin
J. N. Baldwin Notary Public

My Commission Expires Mar 7/1900

Page 2
Ashes Co }
Witness

ty and State of

Personally appeared John Blevins who makes
Oath that he is a resident of the County of Ashe
of Ashe County N.C. that he is personally acquainted
with Jordan Davis and his wife Nancy
Davis his wife who are applicants for citizenship
in the Cherokee Territory and that he knows
from his own personal knowledge that Nancy Davis
is the daughter of John Blevins who represents herself to be
That the said John Blevins was a daughter of -
his son of John Blevins whose maiden name
was Susan Blevins a daughter of David Blevins
son of Ned Blevins a whole blood Cherokee Indian
affiant further states and Oath that he has known
the said woman for twenty five years
And knows that she is known recognized
and known as a person of Cherokee Indian
Blood and has been so known recognized
and known by her neighbors and the public
Generally that the said Ned Blevins
Emigrated from the Cherokee Reservation in N.C.
and settled in the County N.C. and the
Physical appearance language and manners of
the said woman Davis indicates that she is
of Cherokee Indian blood she is so known recog-
nized and known by her neighbors and the public
Generally and from these facts and circumstances
and from statements made by the said woman
Davis affiant has every reason to believe

And doth Verily believe from his own personal
 Knowledge and information and others that the
 said Thomas is of Cherokee Indian
 blood. Offiant further states and says that he
 has no interest directly or indirectly in the prosecution
 of the claim of the said Henry Davis to
 Citizenship in the Cherokee Nation &c. And he is
 not related by blood or marriage to the said Henry
 Blevins. and the said Henry Blevins blood
 from Red Ligon is whole blood Cherokee Indian
 blood. and said Henry Blevins derived his Indian
 blood from Red Ligon and is of Indian and
 white blood.

Subscribed and sworn to before me this 11th
 day of October 1884 and I further certify that
 I am well acquainted with Elisha Blevins
 and know him to be a person of integrity and
 of truth and veracity and that he has no
 interest directly or indirectly in the prosecution
 of the claim of the said Henry Davis to
 Citizenship in the Cherokee Nation &c.
 Wm. Blevins
 Justice of the Peace

STATE OF NORTH CAROLINA
 ASHE COUNTY.

I, POINDEXTER BLEVINS, Clerk of the Superior Court, do hereby certify that
 the within and foregoing is a true and correct copy of the original as the same
 was filed in my office. I was at the time of so doing a
 Justice of the Peace in and for said county and I solemnly swear that all his official acts
 are entitled to full faith and credit. Witness my hand and seal of
 said Court, this 11th day of October 1884.

POINDEXTER BLEVINS
 Clerk Superior Court

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared Samuel Davis, who after being duly sworn, states that he is seventy-seven years of age, a resident of Grayson county, Va., whose just and true address is Cross Creek, Ashe county, N. C.; that he has lived in Grayson county, Va., all his life; that about sixty years ago, he well and personally knew one Ned Sizemore, who was a Cherokee Indian of the full blood then living in Ashe county, N. C.; that said Sizemore, prior to that time had come from the Cherokee tribe in western North Carolina, or Georgia; that said Sizemore had the appearance of a full blood Indian and was so treated and recognized by his neighbors and acquaintances; that he made frequent visits to the home of said tribe after affiant first knew him; that he died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen Sizemore, had a daughter Lyddia who married James Blevins and another daughter who married one Stamper, from whom have descended a number of these claimants; and that said Ned Sizemore had one daughter Catharine who married one James Hart; that said James and Catharine Hart had sons, Ned and George among others, and Catharine who afterwards married one Baldwin and subsequently one Caldwell, and Mary who married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed]

SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

State of North Carolina,) ss:
County of Ashe,)

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation. Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] L. HURLY, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.,

STATE OF NORTH CAROLINA,) ss,
County of Ashe)

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew; that he often went back to where said tribe was located after affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.

Attest [Signed] his
J. H. BARTON. WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.

[Signed] M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY.) ss.
Cherokee Nation.)

On this, the 2nd day of September, A. D., 1896, personally ap-
peared before me, the undersigned Notary Public, within and for the
Northern District of the Indian Territory William A. Lewis, aged
seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee
Nation, I. T., who, after being first duly sworn, deposes and says:
That he is a Cherokee by birth and came to the Indian Territory with
the Cherokee tribe on its migration from the east, that he was well
acquainted with the majority of the members of said tribe who so
migrated as well as of those who remained in the east; that he
was well and personally acquainted with one Ned Sizemore, in
North Carolina, old Cherokee Nation, and knows that he was al-
ways recognized and treated as a Cherokee Indian, and from the
appearance of said Sizemore and his acquaintance with him, affi-
ant knows him to have been a Cherokee Indian by blood and of
the full blood; that he knew said Sizemore from about the year
1822, in North Carolina, and believes that said Sizemore was en-
rolled in the Cherokee enrollment of about that date, and again in
the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he be-
lieves to have been so enrolled and who married Catharine, the daughter
of said Ned Sizemore, and affiant also remembers that said Ned Siz-
emore had a son by name of Owen and also another son by name of
George. Affiant further states that said Ned Sizemore and his family,
on the migration of the Cherokees to the Indian Territory, remained
in North Carolina and from the best of his information he believes
that said Ned Sizemore afterwards settled, lived and died in Ashe
County, North Carolina.

Affiant states these facts from his own personal knowledge. Af-
fiant states that he was born and partially reared a near neighbor to
the Sizemore and Hart families, and was familiar with them, in school
and as playmates and associates.

Given under my hand and seal this the day and date first above
written.

Subscribed and sworn to before me this, the 2nd day of Sept.,
1896.

Wm. A. Lewis [SEAL]
W. H. Hibbels, Notary Public.
My commission expires *Mar 7 1900*

No ~~2261~~ 3339
Jordan Maria
Claimant
vs. Charles Jackson
} Litigant
Do. Edge, N.C.

(Bingmore family)
Filed Sept 7-1896
A S McKinnon
Respectfully
John B. Bawin
Silas Carr
MC

Petition and memorial
for Cherokee Indian citizenship
to the Hon. J. Ross (son) it is to prove
that James Jordan Davis earnestly and
firmly represent that his wife
the said as a sixteenth Cherokee Indian
of blood deriving the same from
her Grandfather Armstrong Blewins
who was a son of Lydia Blewins
who was a daughter of Owen Sizemore
who was a son of Ned Sizemore A
full blood Cherokee Indian your petitioner
therefore submit to your Honorable Body
the same statement of facts as grounds
for his application for Cherokee Indian
citizenship as recorded in the Cherokee nation
and ask for full and complete investigation
of his claim and if the same is found to
be true and correct as herein stated that
he be allowed all the rights privileges
and immunities of other citizens of said
nation. His new full name is Jordan
Davis age 41 years Residence Edge County
of North Carolina of N.C. Post office address is
Edge N.C. occupation that of Farmer I
was married and have eight children
Fella age 20, Biddie age 18, Ellice age
5, Holt age 18, Virginia age 11,
Fannie age 7, Berley age 7,
Lilla age 6
Respectfully submitted most respectfully submitted

3

3

I have seen and before me J. M. Hart
 and for said
 State of said for said
 as the also petition
 citizenship in the
 Indian Territory U.S.
 according
 fact set forth in his
 are true as
 10 day of Aug 1874

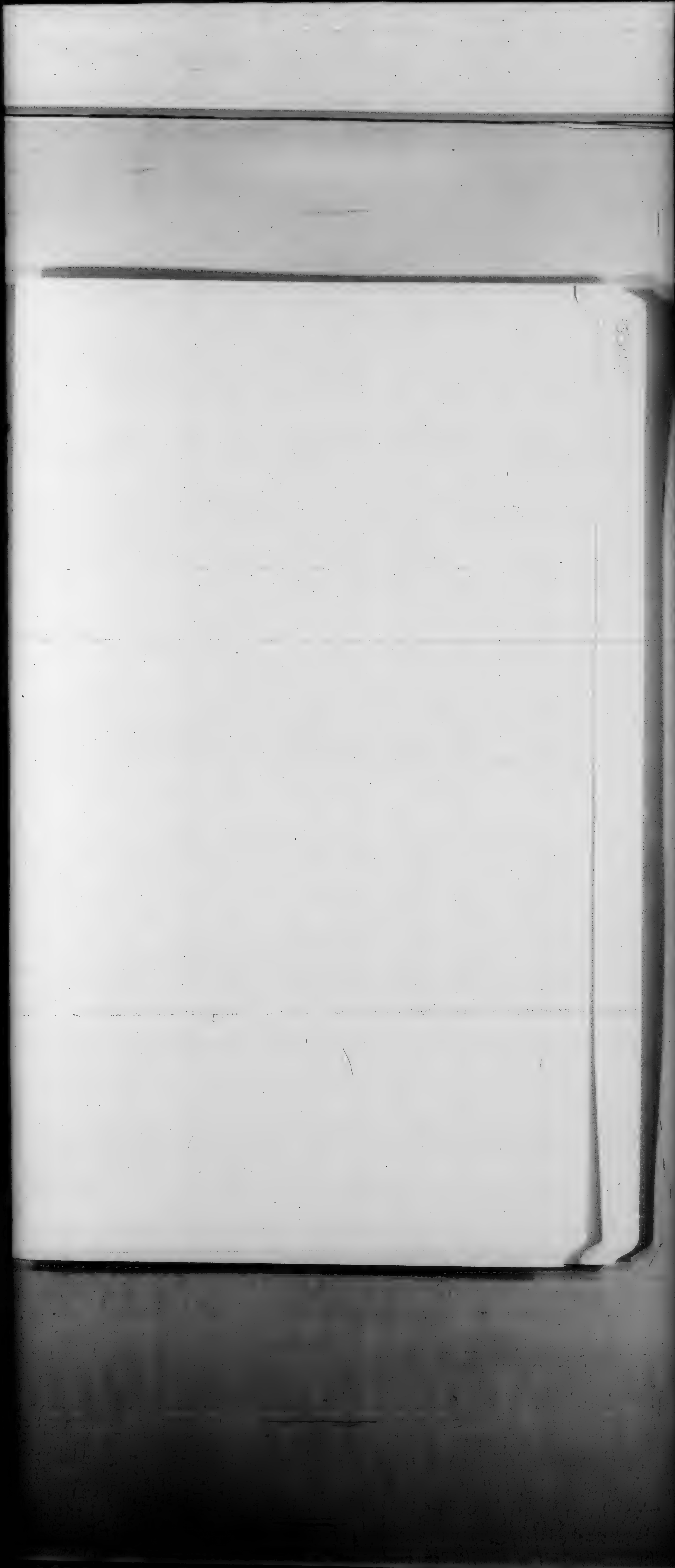
To before me
 and for said
 and
 with claim for
 that he is
 and entitled to full
 and credit before any of the courts
 of the State of N.C. and that I have no
 directly or indirectly in the
 of his said claim for
 and citizenship and
 related to him by blood or

STATE OF NORTH CAROLINA, ss.
 Alamogordo County.

I, DEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that ...
 Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
 Peace Officer and for said county and State, duly commissioned and sworn; that all his official acts
 are carried to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
 said Court this 10 day of August, 1896.

D. Blevins
 Clerk Superior Court.

End



In the Matter of the Claim of the Descendants of Ned Sizemore to
Citizenship in the Cherokee Nation, I. T.:

INDIAN TERRITORY.
Cherokee Nation.

On this, the 2nd day of September, A. D., 1898, personally appeared before me, the undersigned Notary Public, within and for the Northern District of the Indian Territory, William A. Lewis, aged seventy-nine years, whose postoffice address is Ft. Gibson, Cherokee Nation, I. T., who, after being first duly sworn, deposes and says: That he is a Cherokee by birth and came to the Indian Territory with the Cherokee tribe on its migration from the east, that he was well acquainted with the majority of the members of said tribe who so migrated as well as of those who remained in the east; that he was well and personally acquainted with one Ned Sizemore, in North Carolina, old Cherokee Nation, and knows that he was always recognized and treated as a Cherokee Indian, and from the appearance of said Sizemore and his acquaintance with him, affiant knows him to have been a Cherokee Indian by blood and of the full blood; that he knew said Sizemore from about the year 1822, in North Carolina, and believes that said Sizemore was enrolled in the Cherokee enrollment of about that date, and again in the Wafford enrollment.

Affiant further states that he knew one James Hart, whom he believes to have been a son of said Sizemore and who married Catharine, the daughter of said Ned Sizemore, and affiant also remembers that said Ned Sizemore had a son by name of Owen and also another son by name of George. Affiant further states that said Ned Sizemore and his family, on the migration of the Cherokees to the Indian Territory, remained in North Carolina and from the best of his information he believes that said Ned Sizemore afterwards settled, lived and died in Ashe County, North Carolina.

Affiant states these facts from his own personal knowledge. Affiant states that he was born and partially reared a near neighbor to the Sizemore and Hart families, and was familiar with them, in school and as playmates and associates.

Given under my hand and seal this the day and date first above written.

Subscribed and sworn to before me this, the 2nd day of Sept., 1898.

My commission expires (Mar) 1900

[SEAL]

Notary Public.

Nation's No. 1042.

Commission's No.

In re Application of

Martha S. Hollister, et al.

Demurrer and Answer.

20-

NOTARY PUBLIC.

Affidavit of Witness.

INDIAN TERRITORY, } ss.
Cherokee Nation. }

Before me, the undersigned Notary Public in and for the Northern District of the Indian Territory, personally appeared J. G. Lewis, who after being by me duly sworn states that he is 44 years of age, and a resident of Wagon Mound County, and State of Nebraska, whose postoffice address is Medina, in said County, and that he is personally acquainted with Martha S. Dolinger, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Martha S. Dolinger is the identical person he represents self to be in his application for citizenship in said Nation, and that he has known the said applicant for the past 10 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee blood; and that the complexion, physical appearance, language and manners of the said applicant indicate that he is of Cherokee blood. That from above facts and circumstances and from statements made to him by the said applicant affiant states he has every reason to believe and does believe that the said applicant is of Cherokee Indian blood.

Subscribed and sworn to before me, J. G. Lewis day of September, A. D., 1896.

My Commission expires, March 7, 1900.

Robert W. Singer
Po Green Cove Va

(Singer family)

John Baldwin
Silas and
Me

Affidavit of Witness

State of North Carolina,

County of Wayne,

I, John H. the undersigned a Justice of the Peace in and for the County and State aforesaid personally appeared Wesley Blevins who after being by me duly sworn states that he is 69 years of age and a citizen of Ashe County and State of North Carolina and that he is personally acquainted with Martha S. Dolinger who is an applicant for citizenship in the Cherokee Nation. I.T. and affiant further states that the said Martha S. Dolinger is the identical person she represents her self to be in her application for citizenship in said Nation and that the said Martha S. Dolinger is a daughter of Ned Blevins who was a son of Lidia Blevins whose maiden name was Lidia Seymour who was a daughter of Owen Seymour who was a son of Ned Seymour a full blood Cherokee Indian.

affiant further states that he has known the said Martha S. Dolinger for the past 15 years and knows that she is and is recognized and treated by her neighbors as acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion physical appearance language and manner of the said Martha S. Dolinger indicate that the said Martha S. Dolinger is of Indian blood that from the

above facts and circumstances and for statements
made to her by the said ancestor affiant states
she has no reason and does believe she is of Cherokee
Indian blood affiant further states that he has no
interest what ever in the preservation of the
claim of the said Martha J Dolinger
to citizenship in the Cherokee Nation it and that
he is not related by blood or marriage to
the said Martha J Dolinger Wesley Blevins

Subscribed and sworn to before me this
the 18 day of Aug 1896 and I further
certify that I am well acquainted with
the said Wesley Blevins and know him
to be a person of credibility and of truth
and veracity

STATE OF NORTH CAROLINA
Ashe County.

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn: that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 18 day of Aug., 1896.

Clerk Superior Court.

In the matter of the claim of the descend-
ants of Ned Sizemore to citizenship in the
Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, }
County of Ashe } ss,

Before me, the undersigned Justice of the Peace, in and for the coun-
ty of Ashe, in the State aforesaid, personally appeared Samuel Davis, who
after being duly sworn, states that he is seventy-seven years of age, a resi-
dent of Grayson county, Va., whose postoffice address is Grassy Creek,
Ashe county, N. C.; that he has lived in Grayson county, Va., all his life;
that about sixty years ago, he well and personally knew one Ned Sizemore,
who was a Cherokee Indian of the full blood then living in Ashe county,
county, N. C.; that said Sizemore, prior to that time had come from the
Cherokee tribe in western North Carolina, or Georgia; that said Sizemore
had the appearance of a full blood Indian and was so treated and recogniz-
ed by his neighbors and acquaintances; that he made frequent visits to the
home of said tribe after affiant first knew him; that he died in Ashe coun-
ty, N. C., and had a numerous family of sons and daughters, one son Owen
Sizemore, had a daughter Lyddia who married James Blevins and another
daughter who married one Stamper, from whom have descended a number
of these claimants; and that said Ned Sizemore had one daughter Cath-
arine who married one James Hart; that said James and Catharine Hart
had sons, Ned and George among others, and Catharine who afterwards
married one Baldwin and subsequently one Caldwell, and Margery who
married one Robert Hash and settled in Grayson county, Va., near the N.

C., and Va. State line and near the home of affiant; that he often saw said Ned Sizemore at the home of the said Margery Hash, his grand-daughter, and remembers to have seen him there once with a pet bear following him; and that said Ned Sizemore could speak English only very imperfectly.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of said Ned Sizemore's descendants to citizenship in the Cherokee Nation, I. T.

Given under my hand this 10th day of August, A. D. 1896.

[Signed]

SAMUEL DAVIS.

Sworn to and subscribed before me this 10th day of August, A. D. 1896, and I certify that I am well acquainted with said Samuel Davis and know him to be entitled to full faith and credit and a truthful person.

[Signed]

M. C. HASH, J. P.

(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelie Peak for citizenship in the Cherokee Nation, I. T.)

Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

STATE OF NORTH CAROLINA, } ss,
County of Ashe

Before me, the undersigned Justice of the Peace, in and for the county of Ashe, in the State aforesaid, personally appeared William Price, aged 86 years, a resident of Ashe county, State of North Carolina, whose postoffice address is Weaversford, N. C., who after being duly sworn states that he was born and raised in Ashe county, N. C., and that some sixty or seventy years ago he well knew one Ned Sizemore who was a full blood Cherokee Indian and made his home at that time on the waters of Cranberry Creek, in Ashe county, N. C.; that said Sizemore had come from the home of the Cherokee tribe in Western N. C., or Ga., some several years prior to the time affiant first knew him but finally made his home in Ashe county, N. C., where he subsequently died; that said Sizemore had a numerous family of sons and daughters, two of whom, Owen Sizemore, a son and Catharine Sizemore, a daughter affiant well and personally knew; that said Owen Sizemore had a daughter, Lyddia who married one James Blevins, and lived in Ashe county, N. C.; that said James and Lyddia Blevins had several sons and daughters from whom have descended a number of the present claimants; that said Catharine Sizemore, a daughter of said Ned Sizemore married one James Hart, and had numerous sons and daughters among whom were Catharine who married one Baldwin and subsequently married one Caldwell, and Margery who married Robert Hash, and settled in Grayson Co., Va., near the Va., and N. C. State line, Ned Hart, who settled in Ashe county N. C., from whom have descended a number of the present claimants. Affiant further states that said Ned Sizemore had every appearance of being a full blood Indian; that he claimed to be a member of the Cherokee tribe and was so recognized by the said Cherokee tribe and members thereof; that he was recognized and treated by his neighbors and acquaintances in Ashe county, N. C., and Grayson county, Va., as a full blood Indian.

Affiant states these facts from his own personal knowledge and observation and has no interest direct or indirect in the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

Given under my hand this 11th day of August, A. D. 1896.
Attest J. H. BARTON, his
[Signed] WILLIAM x PRICE.
mark.

Sworn to and subscribed before me this 11th day of August, A. D. 1896, and I further certify that I am well acquainted with the said William Price and know him to be a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] M. C. HASH, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of Court under seal of Court.)

In the matter of the claim of the descendants of Ned Sizemore to citizenship in the Cherokee Nation, I. T.

State of North Carolina, } ss:
County of Ashe,

On this 19th day of August A. D. 1896, personally appeared before the undersigned Justice of the Peace in and for the county of Ashe in the State aforesaid, Alfred Price, aged 76 years, whose postoffice address is Crumpler, Ashe county, N. C., and states that some sixty years ago he personally knew one Ned Sizemore who then lived in Ashe county, North Carolina, and who was a Cherokee Indian of the full blood, having come several years prior to that time from the Cherokee reservation and settled in Ashe county, N. C., that said Ned Sizemore had the appearance of being a full blood Indian, and was so treated and regarded by his neighbors and acquaintances; that said Sizemore died in Ashe county, N. C., and had a numerous family of sons and daughters, one son Owen who was the father of Lyddia Sizemore who married James Blevins and who was the mother of James, Eli, George, Wells Blevins from whom have sprung a number of the present claimants; that Catharine was the name of a daughter of said Ned Sizemore who married one James Hart and who had several sons and daughters, Margery who married Robert Hash, George Hart who was the father of Margery Peak and Cornelia Peak and Grubb Hart; said Ned Sizemore also had other sons and daughters and said Catharine Hart was the mother of Catharine Caldwell who was the mother of Nancy Caldwell and William D. Baldwin; that said Catharine Hart was the mother also of Ned Hart, Morris Hart and others.

Affiant states these facts from his own personal knowledge and observation.
Given this Aug. the 19th, 1896.

[Signed] his
ALFRED x PRICE.
mark.

Subscribed and sworn to before me this 19th day of August, 1896, and I certify that the contents of the foregoing affidavit were fully made known to affiant before signing and swearing, and that said Alfred Price is a person of truth and credibility.

Given under my hand this day and date first above written.
[Signed] L. HURLEY, J. P.
(The foregoing is a copy of an affidavit filed with the Hon. Dawes Commission in the claim of Cornelia Peak for citizenship in the Cherokee Nation, I. T.)
Official character and genuineness of signature of Justice certified by Clerk of court under seal of court.)

Pittsburgh and Memorial
for Cherokee citizenship
To Hon. J. M. Smith

Martha J. Dolinger humbly and
Respectfully represents that it is proven
she is one sixteenth Cherokee Indian by
blood deriving the same from her maternal
ancestors the late Ned Egmore through
her father Ned Elmore a son of Lidia
Elmore who mother was a daughter of
a son of Owen Egmore who was a son
of Ned Egmore a full blood Cherokee
your petitioner therefore submit to your Hon
Body the above statement of facts as
grounds for her application for Cherokee
Indian citizenship as aforesaid in the Cherokee
Nation and ask for full and complete
investigation of her claim and if the same
is found to be valid and correct as herein
stated that she be allowed all the rights
privileges and immunities of other citizens of
said Nation petitioner's full name is Martha
Susan Dolinger age 30 years resident of Greene
County in the State of Ohio Post office address
Greene County of Washington State
of her occupation that I bookkeeper I am
Married and have 3 children to wit Elizabeth
age 6 years Lammie age 2 years partly age
3 months attesting witness Most Respectfully
Submitted
Seal

State of North Carolina
County of Ashe

personally appeared before me *Wm. H. Miller* a Justice
of the Peace in and for said county and State, before
said *Mortha. S. Dolinger* the Petitioner in this
a ~~have~~ Petition for ~~an~~ *citizenship*
in the *Cherokee Nation* under *tractors* who
after being duly sworn according to law state
that the facts set forth in her said Petition
above are true as stated *therein* this 18
day of *aug* 1896 at test of Justice.

STATE OF NORTH CAROLINA,
ASHE COUNTY,

I, POINDEXTER BLEVINS, Clerk of the Superior Court of said county, do certify that
..... Esq., whose name is signed to the foregoing certificate, was at the time of so doing a
Justice of the Peace in and for said county and State, duly commissioned and sworn, that all his official acts
are entitled to full faith and credit, and that his signature thereto is genuine. Witness, my hand and seal of
said Court, this 24. day of *August*, 1896.

Clerk Superior Court.

faith and credit before any ~~it~~ *in* court
of the State of *N.C.* and that I have no
interest directly or indirectly in the *transmission*
of her said claim for *citizenship*
citizenship and am not related to her by
blood or marriage

M. H. Miller
J. H. Dolinger

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

State of North Carolina

County of Wake

personally appeared before me Wm Miller Justice
of the peace in and for the County and State of
said North Carolina the Petitioner in the

Subscribed and sworn to before me Justice
of the peace at a place said to be the day of
Aug 1896 and I do hereby certify that I am
personally acquainted with Martha A. Solinger
the said Petitioner and know that she is a
creditable person and entitled to full
faith and credit before any of the courts
of the State of N.C. and that I have no
interest directly or indirectly in the success
of her said claim for Cherokee Indian
citizenship and am not related to her by
blood or marriage

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

SERVICE AFFIDAVIT.

INDIAN TERRITORY, 1888.
Cherokee Nation, 1888.

I, J. N. BALDWIN, do solemnly swear that on the Fourth day September, 1888, I in person delivered to WM. HASTINGS, FRANK J. BOUDINOT and WM. T. HUTCHINGS Attorneys for the Cherokee Nation, at Tahlequah, I. T., a package which contained a true copy of the application of

Mosha S. Delling for Citizenship in the Cherokee Nation, Ind. Ter.

and of the affidavits of *Alfred Ruiz, Wm Ruiz, Samuel Lewis, Wm A. Lewis, J. G. Lewis, Wm Lewis*

in support of same, the originals of which are now filed with the Honorable DAWES COMMISSION at Vinita, Ind. Ter. That affiant has no interest in this matter.

Subscribed and sworn to before me this *7* day of September, 1888.

J. A. Hildner
My Commission Expires

346
No 2252
7

Worthy S Doling
Cherokee Nation

Filed Sept. 7-1892
A S McKenney
Comm

Repetra

End

REGISTRY RECEIPT.

Post Office at

Biggs Creek

Registered Letter
Parcel No.

161

Rec'd

9/17

, 189*6*

of

J. H. Elliott

Quincy

addressed to

L. H. Mays

Washington, D. C.

James C. Taylor

161

INDIAN TERRITORY,
NORTHERN DISTRICT.

IN the matter of the claim of *Eunice C. Putman,*
for herself and heirs and R G
Blades.

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee Indians, by descent and by blood.
On this *7* day of September, 1896, before me, *D W Samuel* a Notary
D G Elliott within and for the Northern District in the Indian Territory personally came
to me known to be a credible person, who being by me,
first, duly sworn, testifies, as follows:

I did on the *7* day of September, 1896, see registered at the Post Office at *Poyor Creek*
in said District and Territory, a package addressed to: Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahle-
quah, Ind. Ter. That the Postmaster's receipt for said registered package No. *161* hereto attached, is a
receipt for said package which contained true copies of the following described papers in the case herein mentioned,
the same being all the papers presented to the Honorable Dawes Commission in this case.

Application sworn to by *Eunice C. Putman*
Affidavit of *Eunice C. Putman*
Affidavit of *Red Bird Sixkiller*
Affidavit of *George W. Putman*
Affidavit of
Affidavit of

I am not interested in this case and am not concerned in the prosecution thereof.

D G Elliott

Subscribed and sworn to before me this *8th* day of September, 1896.

D W Samuel
Notary Public.

Nation's No. 3520
Commission's No.
In re Application of

Demurrer and Answer.

FILED SEP 21 1936
U. S. DISTRICT COURT
S. D. N. Y.

Before the Honorable: Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
H. B. Montgomery, Commissioners.

In the matter of the petition of
S. H. Mayes, Principal Chief of the Cherokee Nation,

Nation's No. 74520.

Commission's No.

and citizenship in the Cherokee Nation.

S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
petition of the petitioner.

The Commission has no jurisdiction of the parties or subject matter of this controversy,
and the petitioner is not entitled to a hearing thereon.

The petitioner does not seek to show that the applicants are
citizens of the Cherokee Nation.

The petitioner does not seek to show that the applicants are
citizens of the Cherokee Nation.

The petitioner does not seek to show that the applicants are
citizens of the Cherokee Nation, since the Cherokee Nation is now located and defined; that his name
is not on the list of citizens of said Nation, that neither he nor any of his ancestors now
reside in the Cherokee Nation and Indian Territory, as citizens thereof.

Having no answer, the respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

Attorneys.

John H. Mayes, Secretary, Cherokee Nation, having been first duly sworn, states that the
petition and the foregoing answer are true to the best of his knowledge and belief.

Witness my hand and seal to before me this, the 10th day of June, 1896.

NOTARY PUBLIC

TO THE HONORABLE MEMBERS OF THE COMMISSION COMPOSING THE COMMISSION

WILLIAM PUTMAN, *James C. Putman for himself & heirs & P. G. Bladen,*

would state and show that he is a Cherokee by descent and
County, State of *N. C.*

1844, My father's name
Grand
My mother's name

That I now
and have resided there

And he further avers that these facts

of the United States and the laws of the Congress

Wherefore he herewith respect-

fully submit to the consideration of the Commission such proof and on the hearing he be ad-

mitted upon the proper roll as a citizen of such Nation.

James C. Putman

INDIAN TERRITORY,
NORTHERN DISTRICT

Subscribed and sworn to before me this *3rd* day of *Sept* 1896,
James C. Putman who being
the facts set forth in the forego-

Notary Public.
A. G. Elliott

Enrollment of family with Relationship Attached.

| Names. | Age | Relation. |
|-------------------|-----|--|
| Eunis, C. Putman | 62 | Daughter of Wiley Bledsoe |
| Zachariah " | 57 | Husband " Eunis, C. Putman |
| James, J. " | 33 | Son " " " " |
| George, W. " | 29 | " " " " |
| Laura " | 29 | Wife " George, W. " |
| Floyd " | 6 | Son " " " " |
| Walter " | 3 | " " " " |
| Nanis, E. Bledsoe | 26 | Daughter " Eunis, C. " |
| Richard, L. " | 29 | Husband of N. E. Bledsoe & son of Martin, V. Bledsoe |
| Thena, G. " | 6 | Daughter of R. L. & N. E. Bledsoe |
| Tennis, M. Putman | 20 | " " Eunis, C. Putman |
| Susan, D. " | 17 | " " " " " |
| Franklin, P. " | 16 | Son " " " " |
| Hugh, H. " | 14 | " " " " " |
| John, W. " | 12 | " " " " " |
| Robert, P. " | 8 | " " " " " |

Indian Territory }
Northern District }

Personally appeared before me a Notary Public in and for the aforesaid District, Mrs Eunice, C. Putman and after being by me duly sworn makes the following statement to wit: My last office address is Pryor Creek, Ind. Terr. I am 62 years of age. I was born in Surry County North Carolina in 1844. My father's name was Wiley Bludrae. In 1849 my father started to move to this Country and gather as far as Oregon County Mo. where my father departed this life. And my mother being a white woman she stated that she would not move to as wild a Country as the Territory was, to raise her children, and did move to the Country. In 1889 I moved to the Territory and filed my claim for citizenship in the Cherokee Nation, and up to the present have had no hearing. My Husband and son has called upon the Cherokee Authorities four different times for a copy of our evidences but we have made a complete failure to get them. And one of my witnesses being deceased it is impossible for me to get his affidavit. The Party mentioned is Capt. Fisher who lives near Tahlequah

and Dr. who was about 100 years of age. and he stated in his affidavit that he knew me and my people and knew them to be Cherokee Indians by blood.

Affiant further state that she is personally and well acquainted with Richard G. Bladen and know that the said Richard G. Bladen is the son of Martin W. Bladen. and the said Martin W. Bladen is a son of the above Wiley Bladen, who was my father.

Affiant further state that the Enrollment of herself and family and Richard G. Bladen family hereto attached attached and made a part of my claim to citizenship is true and correct.

Witness my hand and seal

Sworn to and Subscribed before me

This the 3rd day of September 1896.

D. J. Elliott

Notary Public

Notary
District

Indian Territory
Northern District

Personally appeared before me
a Notary Public in and for the afore-
said District, Red Bird Sixkiller,
and after being by me duly sworn
makes the following statement to wit:
My Post office address is Goenat Mo-
ne Ind. Ter. I am 80 years old. I am
a native born Cherokee Indian and
am recognized as such by the Cherokee
Authorities. I am personally and well
acquainted with Eunis C. Putman, ^(now Bladson) and
the said Eunis C. Putman was a daughter
of Wiley Bladson, and the said Wiley
Bladson was the son of Agqualan, and
the said Agqualan was a sister to my
mother, and my mother and the said
Agqualan were half blood Cherokees Indians.
Affiant further states the said Eunis C. Put-
man the claimant for citizenship is the
identical person she represents herself
to be, and that she is a Cherokee Indian
by blood. Affiant states that he is well
and personally acquainted ^{with} Richard L. Bladson
who is a claimant for citizenship in the Ch-
erokee Nation and I know him to be a son
of Martin Vanburen Bladson and the said
Martin Vanburen Bladson was a son of the

²⁴⁴
~~2654~~

E. C. Putman
Z. S.
Cherokee Nation

Filed Sept 5 - 1896

U. S. McKinnon
Jm

J. S. Elliott
Rogers Creek 3-4

Indian Territory
Northern District

Personally appeared before me a Notary
Public in and for the aforesaid District,
George Putman, and after being by
me duly sworn makes the following
statement. I am 29 years old. My
Post office address is Pryor Creek
and I have made two trips
(and my father two trips) to Posh-
wah and I have to get a copy of the
~~the~~ evidence in our citizenship case
and we have made a complete failure
to get them. Our George Butler Executive
Secretary, claims that they are lost and
cannot be found.

Affiant further states I have read the
Capt. Fisher Affidavit given in behalf
of our claim to citizenship, before the Na-
tional Council of the Cherokee Nation sev-
eral times and the said statement. Af-
fiant stated positively that he has
seen my people and knew them to be
Cherokee Indians by blood.

George W. Putman
sworn to and subscribed before me this
the 2nd day of September 1896

D. S. Elliott

Notary Public

Notary
District

SPECIFICALLY IN DEFENSE OF RESIDENT PETITIONERS.

First. We analyze Article I. and Section 2. Cherokee Constitution, and connect it with Article III. Section 5.

(a.) The LANDS of the Cherokee Nation are declared to be and remain common property.

(b.) Upon the question. "To whom are they common?" this Article and Section is silent.

(c.) An effort seems put forth in Article III. Section 5. to answer the question raised by Article I. Section 2. which says: The descendants of Cherokee men by ALL FREE women, except the African race, who may have been living together as man and wife according to the customs and laws of this Nation, shall be entitled to all the rights and privileges of this Nation. It is assumed that the language used in the above quotation springs a question, which cannot be solved certainly, by any authoritative method for giving construction to sentences; and we therefore pass to notice the significance of the amendment to said Section 5, Article III, and, if possible, therefrom deduce an answer to the question raised in the first sentence of Article I, Section 2, to-wit: "To whom are the lands common?" The language in said amendment is as follows: "All native born Cherokees, all Indians, and Whites, legally members of the Nation, by adoption, and their descendants, shall be taken and deemed to be citizens of the Cherokee Nation." An analysis of the clause "ALL NATIVE BORN CHEROKEES," followed by definition, will determine the significance of the clause, and afford an easy answer to the question, to-wit: "To whom are the lands of the Cherokee Nation common?" Answer, To ALL Cherokees. To all of what class? To ALL NATIVE BORN CHEROKEES. The phrase "all native born," is both numeral and descriptive, and enumerates and describes the noun Cherokees. All Cherokees of a particular class are therefore pointed out to whom the lands of the Cherokee Nation are common. This class is defined by the phrase "native born," and at once springs the question who are native born Cherokees. The word "native" as an adjective is from the Latin word Nativus. Nativus is from Nasco, which is a verb, signifying to be born. The verb "to be born" has no reference to the place of birth, nor can it have. A native born Cherokee is therefore one who is born with Cherokee being, without any regard to the place of birth. Mr. Webster accordingly defines the adjective "Native." First: Produced by nature, original, born with the being. Second: Produced by nature, not fictitious or artificial. Third: Conferred by birth. [See Webster's Unabridged Dictionary]

The word Native, when used as a noun ONLY, can be limited to imply a birth within any specified limit or place. Therefore if the constitution in hand, were want to limit births within the limits of the Cherokee Nation, and say the lands thereof are common property to those born within such limits, it would have read "Cherokee Natives," instead of "Native born Cherokees." That such has been the conception by the authorities until very recently of the amended form of their constitution, Article III. Section 5, will be amply attested by their records which show many admissions to political and communal rights of persons proving Cherokee blood from almost every State in the Union.

Article I. Section 2 and the two clauses read, "but the improvements made thereon, and in possession of the citizens of the Nation are the exclusive and indefeasible property of the citizens respectively, who made or may rightfully be in possession of them."

As has been shown all native born Cherokees shall be taken and deemed to be citizens of this Nation. Native born meaning born with the being—conferred by birth—every man or woman who has Cherokee blood, conferred by his or her birth must be taken and deemed to be, and are citizens, with EXCLUSIVE and INDEFEASIBLE personal property, in the improvements made or rightfully possessed. By the provisions of the constitution of the Cherokee Nation, the land of said Nation is now, and shall remain common to such persons as are or may be produced by nature with Cherokee blood or being, and the improvements thereon are exclusive and indefeasible theirs by virtue of the same constitution. That which is exclusive cannot be encroached upon, and that which is indefeasible cannot be defeated. If your Honorable body feel bound therefore to respect "all laws" of the tribe, much more the fundamental law, and the case would seem made up; especially is this true viewed in the light of the practices of the authorities of this Nation which emphasize the position assumed. It is here alleged that the practice heretofore has been upon the existence of Cherokee blood proven, to admit, and without such blood to reject, and if fraud was charged in any case admitted, the effort has uniformly been to consider whether or not the proof submitted to establish the blood was or was not fraudulently obtained.

It is further alleged that the decisions of the tribunals—to whom have been committed this matter of citizenship—have been uniformly based upon the existence of blood proven, and without any reference to the place where such blood was conferred by birth. The restrictions laid upon public exhibitions of the records of such Nation for sale, proof of this allegation and hence we challenge investigation by the Honorable commission. Again, the Article I. Section 2, of said constitution contains all that can be found in the constitutional law authorizing expatriation, and if the above positions are tenable, it would be expatriation only from political rights. For his common right to the land is to remain, and his right to his improvements thereon is exclusive and indefeasible. So no "native born Cherokee" or "Cherokee native" can be cut off except from political affinity with his tribe; and the constitution specifies four distinctive steps all of which must be taken before a Cherokee can be cut off from such political rights. First: He must have once enjoyed such rights. Second: He must have moved beyond the limits of the Nation. Third: He must have taken all his effects with him. Fourth: He must have become a citizen of another government after his removal. It is respectfully justifying the authorities to expatriate him, or in this argument is submitted has ever taken any step in the process justifying the authorities to expatriate him, or in any way bar him from political affinity and rights as a member of his tribe by virtue of Cherokee blood born with his being, and therefore the option guaranteed to the authorities by the Section and Article in hand and which classes said second Section is inapplicable in these cases, while the closing sentence of Section 5, Article III, applies and demands that these petitioners be taken and deemed to be enrolled as citizens of the Cherokee Nation, and that they be given protection in the enjoyment, not only of their communal and indefeasible personal property rights, but also in their political rights as well. It is alleged to be a custom in practice by the authorities of the Cherokee Nation to admit persons non-resident, to all the rights of citizenship. (See certificate and affidavit accompanying hereto attached.) It is affirmed that this practice sets aside the only fundamental law of said Nation for expatriating its citizens, and that under such practice the provision of the constitution being annulled there is no authority vested in the Cherokee Nation by their constitution to expatriate a Cherokee Indian whether he be in or out of said Nation, and that any improvements made, or rightly acquired by any native born Cherokee, or by any Cherokee native, on the soil declared by the constitution to remain common property, must be held as the exclusive and indefeasible property to such persons, whether they be native born, or Cherokee natives.

It is further alleged that any construction not covering the foregoing is out of harmony with the practices, customs and usages of the Cherokee authorities, and with the treaties of said tribe with the United States and with the laws of the congress of the United States and with the rulings of the Interior Department, and with the courts as well.

The last allegation will not be attempted to be authenticated in this paper, but doubtless will be elaborated in public discussion before the Honorable commission. The following only is here submitted. Commissioner Oberly recites the following: "Taking the ground that as the treaties with the Cherokees were not with the authorities of the Cherokee Nation, but with the whole Cherokee people by which the Government was bound in the execution thereof to see that every individual member of the tribe was fully protected in his rights thereunder, (page 320, 5th Op. Att'y Gen'l) and that as a Cherokee could not expatriate himself or be expatriated by Cherokee authority, 14th Op. Att'y Gen'l's pages 296-7 taken in connection with decision of Supreme Court in Peters 1) he must be wherever he resides within the limits of the United States without respect to the degree of consanguinity regarded as a Cherokee citizen with indefeasible vested interests in the property and funds of that Nation."

Respectfully submitted by

N. J. CRAWFORD.

End

3342

| Name | Place birth | Age | Remarks. |
|--|-------------|-----|----------------------|
| 1 Susan E. Sullivan | Tennessee | 44 | |
| 2 Mary L. Williams | | 41 | |
| 3 Linnie E. Carter | | 39 | |
| 4 Hannah Cannon | | 29 | |
| 5 Giles, D. Belue | | 25 | |
| 6 Scotia A. Belue ^{Baty} | | 21 | |
| Susan E. Sullivan line 1 | | 23 | Brot down Tennessee. |
| 7 Lethiah Sullivan | | 20 | " |
| 8 Lizzie M. Sullivan | | 18 | " |
| 9 Ozie Sullivan | | 12 | " |
| 10 Corinaugh Sullivan | | 10 | " |
| 11 Ruthia Sullivan | | 7 | " |
| 12 Elmer Sullivan | | 2 | " |
| 13 Onie Sullivan | | | " Brot down |
| Lethiah Sullivan line 7 | | 9 | " |
| 15 Earl Sullivan | | | |
| 16 | | | |
| 17 | | | |
| Mary L. Williams | | 17 | |
| 18 Batic Williams | | 14 | |
| 19 Archie B. Williams | | 12 | |
| 20 Willie E. Williams | | 10 | |
| 21 Lussie B. Williams | | 5 | |
| 22 Hattie N. Williams | | | |
| Linnie Carter line 3 | | | Brot down |
| 23 Lellie Carter | | 16 | |
| 24 Minnie L. Carter | | 14 | |
| 25 Otis Carter | | 8 | |
| 26 Annie B. Carter | | 5 | |
| continued over. | | | |

Continued from 1st Page.

| Hannah Cannon line | | Birth Place | Age | Remarks |
|--------------------------|------------------|---------------|-----|---------|
| 27 | Pella C. Cannon | Tennessee | 9 | |
| 28 | John Cannon | " | 7 | |
| 29 | Bathie L. Cannon | " | 5 | |
| 30 | Sula B. Cannon | " | 3 | |
| Sgt. T. O. Beatty line 5 | | Tennessee | 34 | |
| Giles B. Beatty | | Texas | 12 | |
| Hannie B. Beatty | | Ind Territory | 1 | |

Indian Nations
Northern District

IN the matter of the claim of Scotia Ann Beatty ne Belser
and Susan E. Sullivan & her
children, Mary L. Williams & her children
children, Hannah Cannon
& her children, Giles D. Belser

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee
Indian S. by blood.

On this 3 day of Sept, 1898, before me, D. J. Elliott Notary
Public within and for the Indian Nations
in the Northern District personally came Scotia Ann Beatty

to me known to be a credible person, who being by me first duly sworn, testifies in relation to the aforesaid claim as
follows: I am 34 years of age. I was born in the
State of Tennessee, and now reside, and have
for many years in the Cherokee Nation. I came
to the Nation in consideration of my Indian
blood, with hope and expectation to be admitted
by virtue thereof to my rights and privileges as
a citizen. My Cherokee blood comes to me from
John Bryant who was a Cherokee. The relationship
to which I belong, and the descendants of
John Bryant, have, as far back as I can remember,
claimed to be Indians, and many of them
look like such, and have been generally so regarded.
I have been associated more or less with said
descendants and I know they have generally
claimed it, even when in receipt of any benefits
to accrue were present, and even when there was
a risk to their social standing therefrom. I
myself have reasons to believe and do believe
that John Bryant was a Cherokee Indian and
that the descendants, petitioners in this case,
are all his descendants and that their names
ages and places of birth are correctly stated
in the petition of this case.

That my post office address is Cherokee Cherokee Nation Ind Ter
Scotia A. Beatty

Northern
District

Subscribed and sworn to before me this 3rd day of September, 1898.

D. J. Elliott
Notary Public

Nation's No. 3076

Commission's No

In re Application of

Scotia A Bealy

Demurrer and Answer.

Before the Honorable James H. James, Frank S. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of *Colia A. Gentry*

Nation's No. *3076*
Commission's No.

for citizenship in the Cherokee Nation.
Your respondent, *Colia A. Gentry*, of the Cherokee Nation, comes now and demurs the
said application of *Colia A. Gentry* for citizenship in the Cherokee Nation, on the grounds
1st. That *Colia A. Gentry* is not a citizen of the Cherokee Nation, and is not a party or subject matter of this controversy.
and to require *Colia A. Gentry* to show that she is a citizen of the Cherokee Nation.
2nd. That *Colia A. Gentry* is not a citizen of the Cherokee Nation, and is not a party or subject matter of this controversy.
and to require *Colia A. Gentry* to show that she is a citizen of the Cherokee Nation.
Respondent *Colia A. Gentry* has filed an answer to said application, setting forth the following facts:

Colia A. Gentry claims to derive right to citizenship in the Cherokee Nation, since the removal of the Cherokee Nation, as it was located and defined; that his name does not appear on the roll of the Cherokee Nation, and that he nor any of his ancestors now reside in the Cherokee Nation.

And respondent further states that the records, through an error at the time, have been repeated by the Clerk, Bellair, Governor & Ind Bellair - Gov. Nov. 22 37 & 22 38

Having read the foregoing, the Commission dismisses.
S. H. MAYES, Principal Chief Cherokee Nation.

James H. James & Frank S. Armstrong Attorneys
John L. ... Cherokee Nation, having been first duly sworn, states that the matters herein stated are true, to the best of his knowledge and belief.

Subscribed and sworn to this, the ... day of ... 1896.
James H. James
NOTARY PUBLIC.

INDIAN TERRITORY,
NORTHERN DISTRICT.

REGISTRY RECEIPT.

Post Office at

Registered Letter

of

addressed to

[Faint handwritten text, possibly a signature or address, mostly illegible due to fading.]

INDIAN TERRITORY.
NORTHERN DISTRICT.

IN the matter of the claim of *Sestia Ann Beatty for herself*
and other descendants of Lucy Bryant-

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee Indians, by descent and by blood.

On this *7th* day of September, 1886, before me, *P. M. Samuel* a Notary
Public within and for the Northern District in the Indian Territory personally came
Robert H. Crawford to me known to be a credible person, who being by me,
first, duly sworn, testifies, as follows:

I did on the *5-5* day of September, 1886, see registered at the Post Office at *Myor Creek*
in said District and Territory, a package addressed to "Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter." That the Postmaster's receipt for said registered package No. *84* hereto attached, is a
receipt for said package which contained true copies of the following described papers in the case herein mentioned,
the same being all the papers presented to the Honorable Dawes Commission in this case.

Application sworn to by *Sestia Ann Beatty*.
Affidavit of *Sestia Ann Beatty, J. M. Jackett, Matt Christie,*
John Gott, Sampson Cannon, Joseph
Williams, J. L. Flippin, Governor Belew,
Hannah Flippin, R. H. Carter, Joe J.
Williams, John Belew, Giles Belew,
A. H. Cannon, G. D. Belew, J. C. Sullivan,

Register of Reservations of 1817 Ex. A

I am not interested in this case and am not concerned in the presentation thereof

Robert H. Crawford

Subscribed and sworn to before me this *7th* day of September, 1886.

D. J. Elliott

Notary Public.

*Northern
District*

To the Honorable Henry L. Dawes and Others Composing the Commission to the Five Civilized Tribes of Indians:

YOUR Petitioner, *Scotia A Beaty* for herself and ^{others} descendants of *Lucy Bryant* is exhibited on list accompanying and attached hereto would respectfully state and show, from the proof herewith submitted to the Commission, that *she and they*

are Cherokee Indian^s by descent and by blood. That the names, ages and places of birth of said *are as follows:* *attached in said list*

That the name of the father of said *Scotia A Beaty* was *Giles Belue* and that the name of the mother of said *Scotia A Beaty* was *Ellen Belue* that said *Scotia A Beaty* now reside in *The Cherokee Nation* and have resided there for *11* years. Your petitioner^s are descendants of *Lucy Bryant* who was a *Cherokee* Indian

by descent and by blood. Your petitioner^s aver that these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may pre-scribe. And *they* further *are* entitled to be adjudged, under the laws of the *Cherokee* Nation and the laws of Congress of the United States and the treaties of such Nation with the United States, citizen^s of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore *they*

herewith respectfully submit for the consideration of the Honorable Commission such proof, and upon the hearing thereof ask that *they* their name^s be placed upon the proper roll as citizen^s of such Nation.

Signature

Scotia A Beaty

*Indian Territory
Northern District*

NOW on this *29* day of *Aug*, 1896, personally appeared before me *D. J. Elliott* Notary Public in and for said *Scotia A Beaty* who being by me duly sworn upon her oath states that the facts set forth in the foregoing petition are correct and true.

Scotia A Beaty

Subscribed and sworn to before me this *29* day of *Aug*, 1896.

D. J. Elliott
Notary Public

Executive Office
Cherokee Nation

Tahlequah Ind. Ter

The register of
The Reservoirs of 1817, now in the
Executive Department of the Cherokee
Nation shows the names of Lucy Bryant
and 7 children as reservoirs as follows
May the 20th 1818 No 21 Lucy Bryant a
widow 7 in family. place of residence
Cherokee-wm. Entered by Protry for

B. R. Rogers.

Henry Effort

Act Secy C. N.

Indian Territory
Northern District

I do hereby certify that the above is a
true copy. This the 29th day of Aug 1896

Northern
District

D. J. Elliott

Notary Public

Certified copy
showing Lucy Bryant
to have been enrolled
with seven children
E. A. H.

Tacket

J.W. Tacket-
Affidavit
Et "B"

Oct 15/1888

[illegible]

I have a notebook of the same size as the
 first day - with a 550 in the 2nd
 column, and the 1st column

I hereby certify that this instrument is a true copy of one acknowledged before H. H. Ross Deputy clerk of Tahlequah District Court
Choteau Ind. Sup. J. R. Bledsoe
Aug. 11th 1896 Notary Public
for the judicial
District of Ind. Sup.

Christy
Walt Christy
Affidavit
4 16

Tahlequah Cherokee Nation
Oct 2nd 1888

Personally appears before me Allen Ross
Clerk of Tahlequah District Indian
Territory, Nat Territory, with whom I am
personally and well acquainted and I
say he is of good ~~reput~~ reputation for truth
and veracity after being duly sworn
to and saith I am a Cherokee citizen
by blood my age seventy three I knew
Lucy Bryant a Cherokee by blood who was
a widow with some children she lived
in a ~~house~~ in the state of Georgia
about the year 1829 I met her son John
Bryant whom she said was from Tennessee
he was at her house I think it was in the
spring of 1829 he appeared to be ^{about} 40 years of age
I age Lucy Bryant was 60 or 70 years old

Watt Christie

Testified to before me This 2nd October 1888

Allen Ross

Clerk of the

I hereby certify that the above is a true
copy of the original

J. G. Ross

Oct 2nd 1888 Deputy Clerk Tahlequah Dist Ct.

I hereby certify that this instrument is a
true copy of one acknowledged before Allen
Ross Clerk of Tahlequah District Court

Chatham Ind Terr.
(Aug. 11th 1888)

J. P. Blodgett
Notary Public
Indian Jurisdiction
Ind. Terr.

Lott

no. 400

Affixant

Ex. 10"

Antiochian the Nation
 Oct 2nd 1887
 appeared
 after being duly
 sworn dep. and with my own
 hands and the seal of the
 Antiochian Nation I was personally
 examined with one John Bryant a
 Justice of the Peace residing in the
 Antiochian place in the State
 of North Carolina in about the
 year 1880 he had a wife and
 one child in among the children
 of the family a daughter first
 name also a son Frederick
 and also an intimate
 acquaintance with Bryant the father
 of the child the father of the child
 the child is named on a card
 the government in
 the name of the child
 the child is named
 the child is named
 the child is named

I hereby Certify that this instrument is
 a true copy of the one acknowledged before
 me in Mass. Deputy Clerk, Salisbury Dist.
 C. H.

Notary Public
 in and for the State of Mass.

J. W. Blodgett
 Notary Public
 in and for the State of Mass.
 Deputy Clerk, Salisbury Dist.

Affidavit
Exhibit G

Indian Territory
Northern District

I do hereby certify that the within and foregoing
is a true copy this 27th day of Aug. 1896,
District

D. J. Elliott
Notary Public

Affidavit

State of Tennessee ()
County of Gibson () SS.

Affiant Joseph Williams takes oath that he is a citizen of said County and State and has been for sixty years, that he is 83 years old, and has resided near ~~where~~ the town of Milan now is every since he has been a citizen of Gibson County, that he was well acquainted with Giles Balew who died in Gibson County Tennessee on the 15 day of Feb/ 1896., and has known him ~~ever~~ since he was a child and *know* him to be a son of Sam and Mary Balew, said Mary Balew was some times called "Polly Balew". Said Giles Balew was ~~also~~ a brother of Hannah Flippin, who now lives in the Indian Territory, ~~who was~~ also a daughter of of said Mary or "Polly" Balew,. That said Mary or "Polly" Balew was a daughter of John Bryant, who I also ~~understand~~ was a Cherokee Indian Half blood. I knew said John Bryant, Mary Balew and Hannah Flippin well Said John Bryant and Mary Balew lived ~~both~~ lived in Gibson County but a few miles from where I live and they both died in Gibson County Tenn., I remember them well. Affiant was well acquainted with Giles Balews, children, viz: (1) Susan E. Sullivan, ~~formerly~~ Susan E. Balew, (2) Mary *Williams*, formerly Mary *E.* Balew, (3) ~~Tennessee~~ E.B. Carter, formerly Tennessee E.W. Balew, (4) Annie S.B. Beatty, ~~formerly~~ Annie S.B. Balew, (5) Hannah B. Cannon formerly Hannah B. Balew, and (6) G. David Balew.

Joseph Williams
Subscribed and sworn to before me this *15* day of Aug., 1896.

My Com. expires *Jan* 1897 Notary Public.

Official
J. H. Thompson
Ct. Cl.

State of Pennsylvania }
Gibson County } Affiant J. L. Shippin
makes oath as follows. I am a citizen
of Gibson County in the State of
Pennsylvania and have been for 60
years 83 years old and have
resided in the 1st Civil District of
Gibson County for 62 years
I was well acquainted with Hiram
Baker had known him for 62 years
He died in Feb'y 1896 in Gibson
County Pennsylvania and I know him
to be the son of Mary Baker and Sam
Baker. I said Mary Baker was
sometimes called Patsie Baker said
Hiram Baker was also a brother of
Cammie Shippin who now lives
in the Indian Territory and was
also a daughter of said Mary Baker
and the said Mary Baker was a
daughter of John Sugart who I
always understood was a freeborn son
of the free blood. I know said
Mary Baker well. both lived
in Gibson County Penna. but a short
distance from where I live. I also
know Cammie Shippin well up to the
time she left Penna. I had many

dealings with all these of them - remember
them all well
sworn to subscribed } J. L. Phillips
before me 25 July 1896

R. E. Edwards

Notary Public

I certify that I am well acquainted
with J. L. Phillips whose genuine
signature appears on the foregoing
affidavit & I know him to be a good
& reputable citizen. My
commission as Notary Public
expires on the day 3 April
1899 witness my
signature & official seal on the
day 7 July 1896

R. E. Edwards

Notary Public

Before the Honorable
State Commission

In the Matter of the
Application of Scotia
Ann Beatty, et al, for
Enrollment as Cherokee
Citizens

Affidavit of Gov. Belue

~~Governor Belue~~

Governor Belue
affidavit
E+H

Before The Honorable Dawes Commission
In the Matter of the Application
of Scotia Ann Beatty et al for }
Enrollment as Cherokee Citizens. }

United States of America
Indian Territory.
Cherokee Nation } ss.

Governor Belew
of lawful age being first duly sworn,
on his oath deposes and says that his
postoffice address is Adair, Indian
Territory, that he resides in the said
Cherokee Nation, that he is 63 years of age,
that he knows Scotia Ann Beatty
and her husband Richard J. Beatty,
and their children Giles Earl Beatty
and Minnie Beatty: That affiant has
known the said Scotia Ann all her
life, about 34 years, and has known
the said Richard J. since the year
1885, and knows that both said Scotia
Ann and Richard J. have resided in
the Cherokee Nation since about March
1885: Affiant states that he knows the
said Scotia Ann, is the legitimate child
of said Giles Belew and his wife Ellen
who are both dead, and the said ~~Belew~~
Belew was a son of Mary, sometimes
called Polly, Bryant who was the daughter
of John Bryant who was a Cherokee

Indian by blood: That said Giles Belton
was a son of said Mary, or Sally, born of
her marriage to Samuel Belton.

For Belton
Subscribed and sworn to before me
this 17th day of August 1861.

James A. McCreary
Notary Public

Report
of
Barnard Tappin
on
Society of Christy

Ex. J

Tahquah. C. W.
November 25th 1885

This day personally
appeared Harriet Flippin who stated
on oath that she was duly admit-
ted to all the rights of British
citizenship by the commissioners
in British high and now in possession
of a good right the same as
other citizens in dependent further
further state that she was ^{now acting to be accepted} ~~now acting to be accepted~~
in person A. B. B. as a daughter
of John Bell. The free brother of
her. (Harriet Flippin)

Harriet Flippin

I have seen and subscribed to before
me this the 25th day of Nov.
1885 Given under my hand and seal
at Tahquah

MARTIN BROWN
Justice Supreme Court
C. W.

Adyodunle
L. R. L. L.
M

Carroll County, Ky. before me.
I, [redacted] with whom an
personally acquainted made
oath in the form of law that
he is the husband of Rennie E.
Carter who is the daughter of
Giles Belw, de'd, that she is the
daughter of Mary Belw &
the great grand daughter of John Bryant
that said Giles Belw, Mary Belw
& John Bryant all lived & died in
Gibson county Tennessee. The
said Giles Belw dying Feb'y 1896
that said Giles Belw was the brother
of Hannah Plippin who now
resides in [redacted]
that the said Rennie E. Carter &
affiant are the parents of following
named children. [redacted]
Carter aged (16) sixteen years.
Fannie L. Carter aged (14) fourteen
years. Otis Carter aged (8) Eight
years, and Annie B. Carter
aged (6) five years. The [redacted]
Rennie E. Carter the said children
are applicants for citizenship in the
Cherokee tribe in the [redacted] Territory

as decedents of said Giles Bellet
John Bryant. Affiant his
wife & said children are now
residents of Carroll County, Penn.,
near the line of Gibson Co.
Sworn to & subscribed R.H.
before me 25th July 1886.

W. J. Keaton Notary
Public

I certify that I am well acquainted
with R. H. Carter whose genuine
signature appears & the foregoing
affidavit & that I know him
to be a good & reputable citizen.
My commission as Notary Public
expires on the 1st day of January
1887. I witness my signature &
in my office (Official) on this the
25th day of July 1886.

W. J. Keaton Notary
Public

Affidavit -

Joe T. Williams

Case of
Sonia A. Beaty
Mc

State of Tennessee }
Gibson County } Before me for T. Wil-
liams with-whom I am well ac-
quainted made oath in due form
of law that he is the husband
of Mary L. Williams, who is a
daughter of Giles Belov, decd, a
grand daughter of Mary Belov
and a great-grand daughter of
John Bryant. Said Mary L. Williams
is also the mother of the following
children, viz: Beatrice Williams
aged (17) seventeen years: Julie B.
Williams aged (14) fourteen years.
Willie Estel Williams aged 12
years. Turner B. Williams aged
10 years. and Hattie Nell Williams
aged five (5) years: Said Giles Be-
lov, Mary Belov & John Bryant -
all lived & died in Gibson County
Tennessee the said Giles Belov dying
in July 1824. Affiant - is the father
of said named Children, and he
lives with his wife and said
Children reside in the town
of Milan Gibson County Tenn.
She together with her said
Children being applicants for cit-

signatures in the Cherokee Tribe in
the Indian Territory as descendants of
said John Bryant, Jas. T. Williams
sworn to & subscribed
before me 25th July 1886 }
R E Edwards Notary Public

I certify that I am well acquainted
with J. T. Williams whose genuine sig-
nature appears to the foregoing affidavit
& I know him to be a good &
reputable citizen, witness my official
signature & seal of office on this
the 25th July 1886. My Commission
as Notary Public expires on the
day of April 1899.

R E Edwards

Notary Public

1898

State of Tennessee

Liberty County

Before me on this day, personally appeared V. H. Cannon to me well known and who made oath in due form of law. That he is the husband of Hannah Cannon who is an applicant for citizenship as a Cherokee Indian. That she is the daughter of Giles Butler an Indian, a grand daughter of John Butler & a great-grand daughter of John Bryant all of whom have lived and died in Liberty County Tennessee. That said Hannah Cannon now lives in Liberty County and that she is the mother of the following children named and aged as follows: Ella C. Cannon aged nine years, John Cannon aged seven years, Mattie G. Cannon aged 15 years, and Sula Cannon aged 5 years, all of whom are also children of said V. H. Cannon, and said wife and children all live in Liberty County Tennessee, all of whom are applicants for citizenship in the same manner as the husband. That as the

Handwritten of said John Bryant?
Sworn to & subscribed
before me this 25th day of July 1886 }
R. E. Edwards
Notary Public

I certify that I am well acquainted
with A. J. [unclear] whose genuine
signature appears to the foregoing
affidavit & I have taken to be a
good & reputable citizen witness
my signature and office
at office on the 25th day
of July 1886. My Commission as
Notary Public expires on the
day of April 1888.

R. E. Edwards

Notary Public

177
L. G. Sullivan
Q

State of Tennessee
Gibson County } before me this
day personally appeared
J. E. Sullivan to me well known
and who made oath in a solemn
manner that he is the husband of
Susan E. Sullivan, that she is the
daughter of Giles Belser, now deceased,
a grand daughter of Mary Belser &
and that she is the mother of the
following named children:

Lillian Sullivan aged 10 years
Lilly May Sullivan aged 8 years
Argie Sullivan aged 6 years
Cavanaugh Sullivan aged 4 years
Bertha Sullivan aged 3 years
Elmer Sullivan aged 2 years
Luis Sullivan aged 2 years
said named persons are all the
children of applicant with
his wife & children all live in
Gibson County Tennessee

Belser, Mary Belser & John Bryant
all lived & died in Gibson County Tenn,
said Giles Belser dying in Feb. 1896
said Susan E. Sullivan & her children
together with Earl Sullivan are

who is a son of said John Sullivan
and a great grand son of of said
Hills Belue all of whom are applicants
for citizenship Cherokee tribe
in the Indian Territory as the demand
is made and reside in Gibson Co. Tenn.
Sworn to & subscribed
before me 25th July 1896 } J. E. Sullivan
R. Edwards

Notary Public

I certify that I am well acquainted
with J. E. Sullivan whose genuine
signature appears to the foregoing
affidavit and I know him to be
a good & reputable citizen. Witness
my signature & official seal of office
on the 25th July 1896. My
commission as Notary Public
expires on the day of April 1898.

R. Edwards

Notary Public

age level of
G. H. Belen
D"

State of Tennessee }
Hibson County } Before me Elias D.
Bellevue with whom I am well
acquainted & who made oath in due
form of law that he is a son of
Bellevue, deceased, is a grand son of
Mary Bellevue - a great daughter
of John Bryan - an Indian who lived &
died in Hibson County Tennessee said
Elias Bellevue dying in May 1890
is the first and only son of said
John Bryan & his wife Mary
Bellevue & his wife is an
applicant for citizenship in the
Cherokee tribe in the Indian Ter-
ritory is a son of said John Bryan
John Bryan - said
Elias Bellevue was a brother of
Elihu Bellevue who now lives in
Tennessee. Affiant & his wife are
citizens of Hibson County Tennessee.
Sworn to & subscribed
before me 25th July 1890. G. H. Bellevue
Notary public

I certify that I am well acquainted
with Elias D. Bellevue whose genuine
signature appears to the foregoing

Hidavit is a good & reputable
citizen. My commission as
Notary Public expires on the
2nd of April 1888.

Witness my hand & seal
at this the 25th day
July 1887.

R. Edwards Notary Public

*J. H. Identification
His children*

Dear Friend,
 I have just received your letter of the 10th inst. and am
 glad to hear from you. I am well and hope this
 letter finds you the same. I am not at present
 doing much, but I am still
 interested in the cause of
 the oppressed. I am
 sure that you are also.
 I am, dear friend,
 ever your sincere friend,
 Wm. Lloyd Garrison

Dr. Blue
 Vol. 1
 North Judicial
 Dr. 100

affidavit of
John Belant.

"H. L."

Before the Honorable Dawes Commission

In the Matter of the Application
of The children of Giles Belw
for enrollment as Cherokee
citizen.

United States of America }
Indian Territory } ss.
Cherokee Nation }

John Belw
of lawful age being first duly
on his oath deposeth and
saith that his post office address is
Adair Indian Territory that he
reside at Milan Tennessee and that
his age is 66 years

that he knows Carson E Sullivan
and her husband James E. Sullivan
Mary L. Williams and her husband
Joe T. Williams

Fannie E. Carter and her husband
R. H. Carter

Scottie A. Beatty and her husband
Richard J. Beatty

Hannah Canon and her husband
Aaron H. Canon

Giles D. Belw and his wife Ella
Affiant states that he

the said Susan E. Mary L. Tammie.
 Devise to, Hannah and Giles W. Belen
 to be the legitimate children of said
 Giles Belen and his wife Ellen
 who are both dead and the said
 Giles Belen was a son of Mary
 sometimes called Polly Bryant who
 was the daughter of John Bryant
 who was a Cherokee Indian by blood
 That said Giles Belen was a son
 of said Mary or Polly born of her
 marriage to Samuel Belen

John W. Belen
 Master

Witness

J. L. Bradley
 J. C. Canale

Sworn and subscribed to
 before me the 2nd day of
 Sept 1896

V. O. Langley

NOTARY PUBLIC,
 FIRST JUDICIAL DIVISION,
 INDIAN TERRITORY,
 COMMISSION EXPIRES 1899.

To the Hon Henry L. Dawes and others
composing the Commission to the five
civilized Tribes.

Your petitioner ~~Ag. Beatty~~
(Ag. Beatty) would submit aid to you in the
examination of his papers and submit
at this with.

A The history in this case in all the essential
features is the same as given in the case
of D B Bryant to which you are referred.
Is a certified copy showing Lucy Bryant
- who is petitioners ancestor - to have been
enrolled with seven children as benefi-
ciary and as a Cherokee to a reservation
ceded ~~allowed~~ ^{ceded} her by the government in 1817.
in now what is the State Ga.

B Affidavit of W. T. Lickit - who locates said
Lucy Bryant on said reservation and
states she and several children and
verifies the existence of an absent son
in either in North or South Carolina
and affirms the said Lucy Bryant of
Cherokee.

C Affidavit - Wm. Christy - who affirms
the said Lucy Bryant Cherokee by blood.
a widow with children - with other facts
as per former affiant. He says he met
the son, before noticed, at her house
and judged him of Cherokee.

2661

Scotia Am Beauty et al

vs

Cherokee Nation

St. J. Crawford, Agent
Omon Creek, Ind. Terr.

Am
Republica

Filed Sept 5th 1892
A. S. McRum
Clerk

D. Affiant John East - who affirms
 that he has known John Bryant
 a resident in North Carolina in
 about 1817. That he had several children
 and among them were Lucy & Zerkiah
 Bryant in fact the same that John Bryant
 told him his mother's name was Lucy and
 she lived in the reservation ceded
 her by the Government in the year 1817.

E. Affiant Sampson Browning - Knows
 John Bryant 65 years says he was a
 slave and lived in the reservation in
 the old Indian town. Says Zerkiah
 was named Lucy. John Bryant
 visited in 1828. He says there was
 no record of John Bryant in the United
 States until 1825. He married a white
 Lady in South Carolina, which marriage
 was approved in a court of his residence
 soon he moved to Ala and from thence
 to Louisiana in 1825.

F. Affiant T. Williams - Age 83 was
 States he was well acquainted with Elias
 B. who died 5th Feb 1876. Says he knew
 him in Alabama and knows him the
 wife of John Bryant and says that
 John Bryant was a brother of Kenneth Flippin
 Says that he was a brother of John Bryant
 who he always understood was a Cherokee Indian.

Calculation shows that
 Bryant was born 41 or 2
 years of age in 1817 & therefore
 would not have been
 in the reservation in 1817.

Q

Affidavit - 1st Person -

It is submitted with the

proceedings of the

2d

Affidavit - 2nd Person - age 63 years

states that he is married to Anne Beatty

(nee Beland) and has a son Richard

of Beatty and also a daughter Giles Earl,

and also a daughter and his wife

Scotia Ann B. who reside in the house

within which the said

Scotia Ann B. is the wife of

Giles Beland and also a son Giles Beland

was a son of the said Giles Beland

and a daughter of John Bryant

who was a son of

3d

Affidavit - 3rd Person -

First declaration of the said

says she recognizes Anne & Beatty (nee Beland)

as a daughter of Giles Beland, who was her

full mother

Giles Beland the father of Scotia Ann Beatty

(nee Beland) and is the father in this

proceedings and is the father of his

but does not say the full name

but the full name is in the family

and gives the name of Scotia Ann.

The full list as referred to by said

father will be given in the petition.

over

| | | |
|---|----------------|--------------------------|
| K | Giles Belue - | Identifying his Children |
| L | John Belue | " Sullivan family |
| M | Joe T Williams | " No Children |
| N | R B Carter | " Wife & Children |
| O | A. B. Cannon | " Wife & Children |
| P | G D Belue | " Self & family |
| Q | J E Sullivan | " Wife & Children |

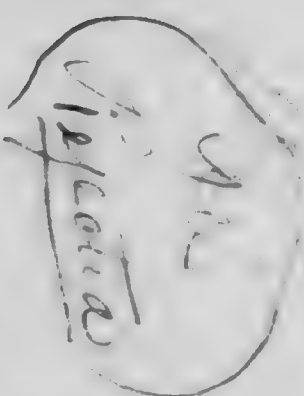
2661

John A. New York etc

was

Charles Justice

J. J. Crawford, 1912
Owner of the same.



Filed Sept 15 1891

D. S. McKinnon

Owner

End

3313

Return to

Wm P Baker

OAK LODGE, Ind. Ter.,
If not delivered within 10 days.

No 1206

Wm P Baker

Cherokee

Dallas Commissioner
Chief Cherokee Act
John Leguak Dna To
Winita Dna To



| REGISTRY RECEIPT. | | |
|-----------------------------|---|---------------------|
| Post Office at | Oak Lodge, N.Y. | |
| Registered Letter Parcel | No. 29 | Rec'd Sept 5- 1896. |
| of | William P. Baker | |
| addressed to | Oak Lodge, N.Y. Chief of Cherokee Tahlequah, N.Y. Lulu S. Donaldson J. T. Donaldson, P.M. | |

I Jack Madley do solemnly swear that
on the 5th day of September 1896 I saw a package
registered at the P.O. at Oak Lodge N.Y.
addressed to the Chief or Governor of the
Cherokee Nat. That the registry package
receipt No 29 received from the P.M.
was attached is a receipt of said
package which contained true copies
of the application of William P. Baker
in the matter of Citizenship of the Cherokee
Nation

Jack Madley
his
mark

Sworn and Subscribed to before me this
the 5th day of Sept 1896

J. H. Brown
Notary Public

No/254

Application of

Wm P Baker Et Al.

FOR

Enrollment in Cherokee Nation.

Filed on the 7 day of Sept 1899

A S McQueen
Sec. U. S. Court, Cherokee Tribes.

Attorney for Petitioner.

GALLAGHER STAR PRINT.

Oak Lodge
A.T.

Application For Enrollment.

BEFORE THE UNITED STATES COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS:

William P. Barber Et Al.
PETITIONER.

VS

APPLICATION FOR ADMISSION AND ENROLLMENT.

Cherokee Nation, Indian Territory.
RESPONDENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:—

Your petitioner *Wm P Barber* states that *he is a son-in-law of*
Jack Wadley who *claims to be a Cherokee*
by blood and *enjoyed all the rights, privileges, benefits and annuities*
of other *Cherokee* *Indians by blood in the said* *Cherokee* *Nation or Tribe*
of Indians, and that the name of the said *Cherokee* *appears, or should appear upon*
the authenticated rolls of the said *Indians for the year*

That petitioner is a lineal descendant of the said *Cherokee* to-wit:

and that the said Wm P Barber
Married Jack Wadley's daughter Fela S
Wadley

and the said Wm P Barber That under the constitution, laws, usages and customs
of the said *Cherokee* Nation or Tribe of Indians, and the laws of the United States, and treat-
ies with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and a member of said
Cherokee Tribe of Indians in the Indian Territory and entitled to all the rights,
benefits, privileges and annuities of other *Cherokee* Indians by blood.

That there are now living legal descendants of your said petitioner persons, as follows, to-wit:

NAMES.

AGES.

RELATIONSHIP.

I hereby certify that an application for enrollment
a true copy of the above was sent to the
Gov of the Cherokee Nation

Wherefore, the premises considered, your petitioner prays that name, with those of
..... said descendants, to wit:
.....
and be enrolled and admitted to all rights, benefits, privileges and
immunities of other Indians, in and to the Nation
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

.....
Attorneys for Petitioners.

The afore named petitioner says that the statements
set forth in the above and for going petition are true according to his best knowledge, information and belief.

William P. Baker
Petitioner.

Subscribed and sworn to before me, this 3rd day of September, 1896

W. L. Dumas Notary Public.

Witness my hand and seal this 19th day of Sept 1896

W. L. Dumas

No. 254
Application of
Wm P Baker Et Al.
FOR
Enrollment in *Cherokee* Nation.
Filed on the 7th day of Sept. 1896
A. S. McPherson
Sec. U. S. Indian Affairs
Attorney for Petitioner.
GALLEGUE STAMP

Nation's No. 2600
Commission's No.
In re Application of

N.P. Bower

Demurrer and Answer.

AS IN THE
COURT OF
COMMON PLEAS

Witness the Honorable, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
W. H. Montgomery, Commissioners.

In the matter of application of
W. H. Montgomery

Nation's No. *2600*

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and is, and ought, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant
is entitled to citizenship.

Respondent not giving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that: *Mayes Modley*

through whom the petitioner claim to derive right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
residing, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutkins, Hastings, Brundage*, Attorneys.

John L. Adams, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
statements contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the

22

day of

June

1896.

NOTARY PUBLIC.

End



Nation's No.

2783-

Commission's No

In re Application of

Lydia A. Brundell
et al.

Demurrer and Answer.

FILED SEPT 25 1896

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

*Sydia A. Pryndell
et al*

Nation's No. *2285*

Commission's No. _____

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Andrew Bracon*

_____ through whom the petitioner claim *to* derive *her* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hedley H. Schuyler Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *19* day of *Sept*, 1896.

D. L. Will

NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at

Registered Letter

No.

59

Rec'd

Sept 6 1896

of *Stephen Jackson*

addressed to *H. Wagon Chief of Cherokee Nation*
Sallywash Ind in

J. M. W. W. P. M.

United States of America,
Northern District I.T.

I. W. W. Wheeler do solemnly
swear that on the 5th day
of September 1896. I sent a
package Registered at the Post
office at Sullivan, and was
addressed to the Hon. S. H. Mayes
Chief of the Cherokee Nation
Tahlequah Ind, Ter. That
Registry Receipt No. received from
post master hereto attached
is a receipt for said package,
which contained, true copies
of the Application of Indict
A. Brendell, and of affidavits
of J. F. M. West, Kimball
Burrell, and James H. H.

Subscribed and sworn to before
me on this the 5th day
of September 1896.

W. K. Littlejohn
Notary Public

No.

Application of

Ludwig H. Brundel
and Children

For Enrollment as a Cherokee
Citizen.

To the Honorable Dawes
Commission.

Filed by:

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CARANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1898, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:- The undersigned, your petitioner, for and in behalf of herself and her children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which her claim is based are as follows, to-wit:

That she is of Cherokee Indian blood and descent. Deriving same as follows: First, your petitioner is the daughter of Thomas C. Haygood, and Julia A. Haygood, (nee Burrell). Julia A. Haygood was the daughter of Jesse Burrell, and Mourmin Burrell, (nee Brown). Mourmin Burrell, was the daughter of Andrew Brown, of the state of Georgia, who was a Cherokee Indian by blood, and who was a recognized and enrolled Indian in the country where he lived. That your petitioner has ~~been~~ living in the Cherokee Nation about 5 years, and that she made application to the Cherokee authorities and was denied admission to citizenship, and was denied admission to citizenship for ~~some~~ some reason. See act of Congress Sept. 7, 1897, compiled laws of the Cherokee Nation of 1892. Also, different acts of the Council creating courts in cases of citizenship.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

Affidavit of Kimbrel Burrell.
L. F. L. West and James Pratt.

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

Julia A. Burrell
Applicant.

| NAMES. | AGES. | RELATIONSHIP. |
|------------------|-------|---------------|
| Julia A. Burrell | 34 | Applicant |
| Gorey A. | 12 | Daughter |
| James C. | 10 | Son |
| Ollie | 8 | Daughter |
| Mittie | 6 | " |
| Pearl A. | 2 | " |

Indian Territory.

District.

Personally appeared before me, the undersigned, a Notary Public within and for the Indian Territory, who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

Subscribed and sworn to before me this the 25 day of Sept, 1898.

W. K. Littlejohn

Notary Public.

My commission expires on the 25 day of Nov, 1899.

AFFIDAVIT OF WITNESS

In the matter of Petition and Memorial of *Yodel B. Bernal*
for Admission to Citizenship in the *United States* Nation.

STATE OF Nebraska
COUNTY OF Lincoln

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Rosal B. Russell who, after being by me duly sworn, states: That he is 41 years of age, and a resident of the State of Georgia and County of Spalding and that he is personally acquainted with Lillian S. Russell who is an applicant for Citizenship in the Cherokee Nation. Affiant further states:

[illegible]

Affiant further states: That [redacted] has known the said [redacted] for the past 32 years, and knows that [redacted] has been and is recognized by her neighbors, acquaintances and the public generally as having [redacted] Indian blood, and that the complexion and physical appearance of the said [redacted] indicate that [redacted] she is of [redacted] Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said [redacted] he believes the said [redacted] to be a descendant by blood of the [redacted] Indian tribe.

Subscribed and sworn to before me this

day of

7-11

1544

114. Wellman, James P.
Notary Public

My Commission expires

AFFIDAVIT OF WITNESS

In the matter of Petition and Memorial of *Ignacio J. Mendez*
for Admission to Citizenship in the *United States* Nation.

STATE OF Ill.
COUNTY OF Champaign

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared J. J. Hall who, after being by me duly sworn, states: That he is 56 years of age, and a resident of the State of Ark. and County of Ind. and that he is personally acquainted with Lydia A. Smith who is an applicant for Citizenship in the Cherokee Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

[illegible]

Affiant further states: That James H. Smith has known the said Lydia A. Smith for the past 22 years, and knows that James has been and is recognized by his neighbors, acquaintances and the public generally as having been of Indian blood, and that the complexion and physical appearance of the said Lydia A. Smith indicate that James is of Cherokee Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Lydia A. Smith he believes the said Lydia A. Smith to be a descendant by blood of the Cherokee Indian tribe.

Subscribed and sworn to before me this 14th day of Sept, 1898.....

Therrell G. Linn, Jr.
Notary Public

My Commission expires

No 1287

Lydia Brudel

Cherokee Nation

Filed Sept 7/1894

A S McKinnon

Com

Replied

Notary

Public

United States of America, }
Northern District, Ind, Ter. } S.S.

On this the 2nd day of September
1896. Personally appeared before
me a notary Public in and
for the Northern District of the
Indian Territory. James Trott,
who after being by me duly
sworn states,

My name is James Trott. I
am a full blood Cherokee Indian
and a citizen of Sequoyah District
Cherokee Nation. I am 82
years old. I was born in Hamilton
Co. Georgia, and raised on the
Dohabashah river. I knew
Andrew Brown in the
State of Georgia when I was
a young man. he lived about 40
miles from where I was raised.
There was a good many of
the Browns in that country
who were Cherokee Indians.

I think that Andrew Brown
was a brother to James Brown
who emigrated to the Cherokee
Nation and settled on Lees
Creek in Sequoyah Dist Cherokee

Nation, and who was a recognized
citizen of said Nation, who has
been dead many years.

I know that Andrew Brown
was a Cherokee Indian by
blood.

James ^{his} Pratt.
_{mark.}

Witness.

Wm. Edmunds White

Sworn and subscribed to
before me on the day and
date above written.

W. N. Littlejohn
Notary Public.

Nov. 12 1897
L. L. & B. B. B.
Cherokee Nation

Filed Sept 7/1896
A. S. McKinnon
Clerk

Repealed

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To The Darves. Comm.
 Vinita
 Ind. Terr.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

3215

To the Hon. ^{Commissioners} ~~General~~ ^{and others}
comprising the Commission to the five
Civilized Tribes

I am Petitioner, Joseph P. Parker
would submit the following as a help to you
in understanding his case.

1st a brief history is given and
2nd a compiled statement of points in evidence
I came to this country in 1886 by invitation from
Chief Bushyhead. When I applied for admittance
I was asked to pay five hundred dollars for
the same. I became discouraged and disgusted
and returned to Ga. I remained in Ga until
1893 and then came back. A daughter whom
I left here for her rights while I was
absent. I think 1887. Since my return I have
filed my claim twice before the authorities; but
have never received any answer to either petition.
For my second filing I could obtain no papers
from the executive office, and was forced to
re-possess myself with evidence, which cost
me much time and some money.

My family was never enrolled; and the reasons
are my mother who was the Cherokee, died before
the treaty of 1835. My father and his family of
brothers & sisters who were whites - were very much
opposed to that treaty because it interfered with
land granted by the State of North Carolina

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION
TO THE FIVE CIVILIZED TRIBES

1
YOUR Petitioner, *Charles Parker in himself & heirs*,
would state and show from the proof submitted that he is a Cherokee by decent and
by blood having been born in *Cherokee* County, State of *K. C.*
on the *18th* day of *April* 1837 My father's name
was *Andrew P. Parker* My mother's name
reside in *the Cherokee Nation* That I now
for *3* years. And he avers these facts are established by proof to the satisfaction of the Com-
mission under such rules and regulations as may be prescribed. And he further avers that these facts
being proved he is entitled to be admitted under the laws of such Nation and the laws of the Congress
of the United States and the treaties of said Nation with the United States, a citizen of such Nation, with
all the rights, privileges and protection of citizenship of such Nation. Wherefore he herewith respect-
fully submit to the consideration of the Honorable Commission such proof and on the hearing he be ad-
judged entitled to such citizenship and to have his name placed on the proper roll as a citizen of such Nation.

Charles P. Parker

INDIAN TERRITORY,
NORTHERN DISTRICT.

NOW on the *24th* day of *August*, 1896,
personally appeared before me, *J. S. Elliott*,
a Notary Public within and for the said Northern District,
Charles P. Parker who being
duly sworn upon his oath states that the facts set forth in the forego-
ing petition are correct and true.

Subscribed and sworn to before me this *24th* day
of *August*, 1896.

J. S. Elliott
Notary Public.

Annis Blythe ne Barnes & her issue of descended petitioners Joseph P. Parker is Grand son of Annis Blythe and son of Ona Parker ne Ona Blythe said Joseph P. Parker is the petitioner in this case: and the descendants are found below with the place of birth and age indicated.

From line 1 to 10 line are Great Grand Children of Annis Blythe ne Barnes & Great children to Petitioner.

From line 11 to 16 line are Great Grand Children of Annis Blythe ne Barnes & Great children to Petitioner.

From line 17 to 19 line are Great Grand Children of Annis Blythe ne Barnes & Great children to Petitioner.

| Names | Place of Birth | Age | Remarks |
|--|----------------|-----|-------------------|
| 1 Joseph P. Parker | N. Carolina | 58 | |
| 2 Anne A. 1 st wife of J P Parker | Ga | 5 | Issue 5 children |
| 3 Adie G. Parker | " | 52 | |
| 4 Millie L Parker | " | 29 | |
| 5 Nicholas F Parker | " | 26 | |
| 6 Susanna 2 nd wife | S. Carolina | 52 | Issue 11 children |
| 7 William A. Parker | Ga | 19 | |
| 8 Fannie L. Parker | " | 15 | |
| 9 Lucy M Parker | " | 14 | |
| 10 James G. Parker | " | 10 | |
| Adie G. Evans ne Parker from line 5 | | | Brought down |
| 11 Joseph Evans ne Parker | | | |
| 12 Mary A Evans | | 12 | |
| 13 Jacobine C. Evans | | 10 | |
| 14 Mariash, Evans | | 8 | |
| 15 Millie L Evans | | 6 | |
| 16 John W Evans | | 3 | |
| Millie L. Christopher ne Parker line 4 | | | Brought down. |
| 17 Gertrude Christopher | | 9 | |
| 18 Adair Christopher | | 7 | |
| 19 Lizzie Christopher | | 5 | |
| The above Millie L Christopher is now wife of Nathan Harman but no issue as yet. | | | |

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:—

The undersigned, your petitioner,

for and on behalf of *herself*

~~and heirs~~, this day make ~~the~~ application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that ~~she~~ *is* a Cherokee Indian by blood, deriving the same from *Polly Mass who was a daughter of Stacy DeArmon who was a daughter of Ann Blythe nee Barnes. The said Ann Blythe nee Barnes being her ancestress.*
~~whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 18~~ ~~the name to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files~~ ~~and upon the proof of Cherokee blood to be granted~~ proof in support of said claim, and respectfully awaits the time when ~~her~~ application shall be heard and tried.

Respectfully submitted,

Enrollment of family, with relationship attached, as follows:

Names

Ages

Relationship.

IN WITNESS WHEREOF *Le* hereunto set my hand this *5th* day

September 1896.

Lea J. Jett

ited States of America,
ndian Territory,
Northern District.

David Jett

of lawful age being duly sworn states that he knows
the facts set forth in the above and foregoing application and that the same are true
as he verily believes.

David Jett

Subscribed and sworn to before me on this the 5th day of September, 1896.

J. L. Elliott

Notary Public.

My commission expires Nov. 20, 1898.

*North
District*

To the Hon^{ble} H. L. Dimes and Other Commissioners,
the Comm^{rs} to the Civilized Tribes.
Gents.

In regard to the applicant Mrs. Louisa G. Galt,
we will state that we will refer you to
the evidence submitted in Gazette P. Parker
of which this is made a part, and herewith
enclosed. We will also refer you to affidavits
hereto attached and marked Ex "A" "B"
and "C" which fully identifies her as
a relative to Affiant. Affiant Isaac
Isaac H. Dige in Ex "B" (who is a recognized
Citizen of the Cherokee Nation) states that the ap-
plicant Mrs. Galt is a half sister to her.
And as to argument we will refer you
to the argument in the Gazette P. Parker Com-
missioners enclosed.

Respect Submitted
D. G. Elliott & Co
Attys for Claimant,

Indian Territory
Northern District

IN the matter of the claim of

L J Jett

for enrollment as citizens of the Cherokee Nation, Indian Territory, as a Cherokee
Indian... by blood.

On this 5 day of Sept 1896, before me, J. Elliott, Notary
Public within and for the aforesaid Territory
in the Northern Dist personally came L J Jett

to me known to be a credible person, who being by me first duly sworn, testifies in relation to the aforesaid claim as follows:

I am about 50 years old I reside in
the Cherokee Nation for the past two years
my P.O. is Pryor Creek, Okla. I am a daughter
of Nicie Moss who was the daughter of
~~Amos~~ who was a daughter of Stacy
de Armon, who was the daughter
of Annie Blythe nee Barnes, who is my
Ancestress from whom I derive my
Cherokee Blood. I understand from
my relatives that it is common report
and family tradition in the family
that we are Cherokee Indians by blood
and that that blood is derived from
the aforesaid Annie Blythe nee Barnes
whom report and family tradition
says was a Cherokee Indian.
I have never been much associated
with my near relatives and hence
know but little except as learned
since I came west. Deponent says
no further.

That my post office address is

L J Jett

Northern
District

Subscribed and sworn to before me this 5th day of September, 1896.

J. Elliott
Notary Public

Wyo. Creek

Ind. Ter

August 26th 1896.

Personally appeared Mrs Laura Vege
who being duly sworn depose and
says that she is a half sister to Mrs
Lena H. and a recognized citizen of
the Cherokee Nation knows her to be
a daughter of Vice Hass and Edmund
Stacy Edmund was a daughter of
Lena H. before marriage
Mrs L. H. H. married Edmund Stacey
that her parents and others was
told that her great grand
mother Anna Blythe and a great
great mother to Herman were
a half blood Cherokee Indian
Laura Vege

Indian Territory
Northern District

Sworn to and subscribed before me this the
27th day of August 1896

D. G. Elliott

Notary Public

Northern
District

2656

J. P. Parker
U.S.
Cherokee Nation

Filed Sept-8-1876
A. S. McKinnon
Comm

P. Parker

Pigor Creek

Ind Ter

August 26th 1896.

Personally appeared Joseph P. Parker
who being duly sworn deposes and
says he is well acquainted with Mrs
Conjett. Knows her to be a Daugh-
ter of Vicq Moss nee ~~Atty~~ Darmond
Macy Darmond was a Daughter of
Irmie Blythe before marriage nee
Irmie Beames & also next Testifies
That his parents and others always
told him that his Grand mother
Blythe and a Great Grand mother
to claimant were a half breed
Cherokee Indian

Joseph P. Parker

Indian Territory
Northern District

Sworn to and subscribed before me this
the 27th day of August 1896

D. V. Elliott
Notary Public

Northern
District

REGISTRY RECEIPT.

Post Office at *Proctor's Creek, La.*

Registered Letter (No. *127*) Rec'd *Sept 7th, 1896*

of *Joseph P. Parker*

addressed to *St. Marys*

Tahlequah, La.

J. L. Taylor, P.M.

122

INDIAN TERRITORY,
NORTHERN DISTRICT.

IN the matter of the claim of *Joseph P. Parker* for himself
and heirs and application of Mrs *Laura J*
Elliott

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee Indians, by descent and by blood.

On this *8* day of September, 1896, before me, *J. J. Samuel*, a Notary
Public within and for the Northern District in the Indian Territory personally came
J. J. Elliott to me known to be a credible person, who being by me,
first, duly sworn, testifies, as follows:

I did on the *7* day of September, 1896, see registered at the Post Office at *Wagon Creek*
in said District and Territory, a package addressed to "Hon. S. H. Mayes, Chief of the Cherokee Nation, Table-
quah, Ind. Ter." That the Postmaster's receipt for said registered package No. *22* hereto attached, is a
receipt for said package which contained true copies of the following described papers in the case herein mentioned,
the same being all the papers presented to the Honorable Dawes Commission in this case.

Application sworn to by *Joseph P. Parker and Mrs Laura J. Elliott*
Affidavit of *J. J. Downing - Emily P. Taylor and*
Affidavit of *John Duke Mary Ann Hamilton*
Affidavit of *Samuel L. Hester M. J. Hood*
Affidavit of *William Matay L. Crawford Mary-*
Affidavit of *and black Laura Dyer - and*
Laura Taylor, also application of Mrs
Laura J. Elliott, affidavits Laura J. Elliott Laura
J. Dyer and Joseph P. Parker

I am not interested in this case and am not concerned in the prosecution thereof.

J. J. Elliott

Subscribed and sworn to before me this *8* day of September, 1896.

J. J. Samuel
Notary Public.

Nation's No.

Commission's No.

In re Application of

Demurrer and Answer.

21

Before the Honorables, Henry L. Davies, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
J. P. [redacted]

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds therein sets:

1st. That this Commission has no jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not contain sufficient evidence to show that the applicant is or is entitled to citizenship.

Respondent not waiting his removal to court, but insisting upon the same for answer to said application, says that [redacted]

[redacted] through whom the petitioner's claim to derive their right to citizenship in the Cherokee Nation is now made, has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as it is present located and defined; that his name does not appear on any of the enrollment records of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered the petition, it asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

Attorneys.

John L. Adams, [redacted] Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing are true, to the best of his knowledge and belief.

Subscriber and sworn to on this, the

day of

1896.

NOTARY PUBLIC.

B. When P. T. was a young man he was a oppressed citizen
of color. He was a very religiously acquainted
with a white man who was the son of
one P. T. who was a very
churchman and a citizen of the church
that was

1860
 Lived in New York - on the Albany River and was
 a well known person in the community
 and a member of the Albany County Fair.
 He was a very good man and a very
 good citizen.

N. H. T. 1800 - 72 years old
and ... of ...
... ..
... ..
... ..

to offer the same
for sale at a low price,
and to make a better effort
to sell them than we could
do under the act of 1817.
The result was that they
were sold by the family
at a profit of \$100.

G
will
his
says
I
of
and
with
so
is,
the
his
be
would
for
this

if u_1^1 and u_2^1 are the first two components of u^1 and u^2 respectively, then u^1 and u^2 are the first two components of u^3 and u^4 respectively, and so on.

6. Affected the same day - they were
for it was all the time - and
and that they spent the time - I was
the whole time - and the time -
of course.

16. Dr. J. L. G. Ford was called out on a case of 20 years of age, and was called out and kept in the hospital for a period of 20 years of age, and was called out and kept in the hospital for a period of 20 years of age.

The Church. I find in this case is
unreasonable and the case is based
upon the amended form of section 5
Article 3 of the constitution of the United States.
This act & other acts are "The Native born
Cherokee entitled to citizenship." Had
this been given to the Cherokee Nation instead
of "Native born Cherokee" and then I would
not be entitled as I was not born in the
limits of the Nation as the clause in
the constitution is "Native born" and I am
as the act entitled. The clause in the
constitution the word "Native born" is from the Latin word "Natus"
and "Native" is from the Latin word "Natus"
signifying to be born. The word "Native"
has no reference to the place of birth
therefore the phrase "Native born Cherokee"
is correct as it is without any reference to
the place of birth. Whether according to
the law or according to the
Original, born with the being, natural not second
3rd confirmed by birth as Native born & only.
Your petitioner therefore prays to be enrolled
under his petition and as citizen of the above
analysis and definition of said act & of
said Constitution. Respectfully submitted
by N. J. Crawford for petitioner is

Cherokee Nation
Jahleguah District } know all men
by these presents. That U. S. ie Downing
a full blood Cherokee Indian, was
well acquainted with Henry Harry Hamp-
tons Mother and Grand Mother they lived
in North Carolina on Nelly River. I
was raised in large part in his grand
Mothers house. her name was Annie
Barnes before marriage + she married
a Blythe the Cherokee Cal d him
Isortlah she bore seven children.
Sas. g. Becky. My. Maryann. + Betty and
Jim + Jonathan. Maryann married
Mr Hampton the Father of Henry Harry
Hampton. The Cherokee called the
Father Tohlale. The Annie Barnes
afterwards was a half Cherokee she
had a half Brother a full blood
Indian named. Ch. ozuizah or Bird.
I myself am first Cousin to H. H.
Hamptons Mother. Betty Blythe, one of
the seven children a b mentioned
and Sister to Maryann married John
Welch + they had Ned. Dav. Jonathan.
Richard John Pitt. Jim + Niece. Polly. Stacy
who married Campbell To. her. Jim

Welch lives in Delaware District near Long
Creek. S. H. Hampton is first Cousin
to Jim Welch & to Campbell Taylor's wife.

Cherokee Nation
Tahlequah District } This day personally
appeared before me Aggie Downing who
after being duly sworn. deposed that
the facts & above set forth are true
That she knows the facts of her own
knowledge, as witness my hand &
Seal This 25th day of Sept 1882.

W. P. Bandinot
Executive Secretary

(Seal)

Welch lives in Delaware District near Long
Creek. H. H. Hampton is first Cousin
to Jim Welch & to Campbell Taylor's wife.

Cherokee Nation

Tahlequah District } This day personally
appeared before me Aggie Downing who
after being duly sworn, deposed that
the facts & above set forth are true
That she knows the facts of her own
knowledge, as witness my hand &
Seal This 25th day of Sept 1882.

W. P. Bandriot
Executive Secretary

(Seal)

Nov

Exhibit "B"

Tahlequah District 3
Cherokee Nation 3

Personally appeared
before me, R. M. Dancberg
Deputy Clerk of Tahlequah District,
Wiley P. Taylor, who after
being duly sworn according
to law deposes and says
as follows: I am a recognized
citizen of the Cherokee Nation
and live in Tahlequah District,
OK and my P.O. address is
Tahlequah, I.T. I am personally
acquainted with Joseph P. Parker.
I know him to be a son of Oua
Parker nee Oua Bly, whose ^{mother} was a
half breed Cherokee and was a
recognized citizen of the old Cherokee
Nation. I recommend that he
and his descendants be admitted
to all the rights and privileg-
es including lands and monies
of Native Cherokees, by virtue
of their Cherokee blood.

Wiley P. Taylor

Sworn and subscribed to before me

R. M. Dancberg Deputy Clerk

Dec 21-1896

Cherokee Nation known all men by these presents to
 Tahlequah Dist. I Jimmy Gmoke or Loinogahla, a full
 blood Cherokee woman, was well acquainted
 with Henry Harry Hampton, his mother &
 his grand mother, I used to go often go to see
 them for I lived near. He lived in
 North Carolina on Nelly River. Mr Hampton's
 mother was named Annie Blythe before
 she married Hampton's father. She was a sister
 to B. J. Welch Blythe, who married John Welch.
 Betsy has two living children living now in
 the Cherokee Nation Jim Welch of Delaware
 of Delaware District and Stacy Welch.
 Henry Harry Hampton is first cousin to Jim
 Welch & his sister Stacy.

This Hampton's grand mother was named
 Annie Barnes before she was married to Blythe.
 The Cherokee called Blythe Isotlah or Tot.
 a Barnes was half blood Cherokee. She
 had only one half brother named Bird.
 The Cherokee name was Chucagwizah. I
 knew Aggie Downing from child hood. She
 lived with Annie Blythe as a child. I have
 seen her the many times. She lives now
 in Saline District near Chucwostongah
 school house. Aggie Downing is half
 sister to Jim Welch. John Welch

being her father. I myself live in Saline
District Cherokee Nation, a bout seven
miles north of Aggie Downing I knew Henry
Levy & am apt to be a Cherokee by blood.
I have been to Tahlequah twice to bear
witness for him & so has Aggie Downing
but the Court of Citizenship would never
give the case a hearing

Cherokee Nation: Perennially appeared before me
Tahlequah Dist Henry Smoke or Isinoyahbe & after
being sworn acknowledged the a
bove statement to be true & avers that
it is true & that she knows the facts of her
own knowledge as witness my hand & seal
this 25th day of Sept 1882.

W. P. Bandint
Executive Secretary

United States of America.

Indian Territory.

Northern District.

C. C.

I J. C. Starr, Notary Public hereby certify that the above and foregoing is a true and correct copy of an instrument this day exhibited to me and further certify that the same was carefully compared with the original and found true and correct. Witness my hand and seal. this Aug. 8th. 1898.

J. C. Starr
Notary Public.

J. C. Starr
Notary Public

Deposition

Copy

State of North Carolina
Cherokee County

February 28. 1883.

Margann Hampton Age (71) years
being duly Sworn according to law.
Says that I was born in the Cherokee
Nation East ^{on} the Caney Fork of
the Tuckasee river in the said
State, that I am the youngest child
of Jonathan and Annie Blythe, have
never lived out of said Nation, and
the Cherokee language was the first
I learned, that Mother was of
Cherokee Indian blood, I was living
with my Father & Mother on Valley
River, at least ten years before the
Treaty of 1835, and was living there at
the time the Soldiers were taking off
the Cherokee Indians 1835. My Mother
died before the treaty of 1835. My Father
Jonathan Blythe and my Brother and
Sisters were opposed to the Treaty of 1835,
because it interfered with the land
granted by the State of North Carolina
in 1783 to the Cherokee Indians for
services rendered the United States in
the war of the revolution,

The Indian blood was by Mother,
and being dead before the Treaty of 1835,
and Father being a white man we were
not subject to being taken up and sent
to the Cherokee Nation West, and therefore
we were let alone, and were not troubled
by the United States Soldiers, when other
Cherokees were caught up and sent West.
Our names were not placed upon
any census roll of the North Carolina
Cherokees except Brother James Blythe
and Elizabeth Welch they have been
paid for a portion of their claims
under the Cherokee Treaty of 1817 and 1835.
Our rights as Cherokees have never
been disputed by the Cherokee National
authorities, but on the other hand
have been fully recognized, whenever
claimed. We only ask to be enrolled
on the census authorized by the act
of August 7, 1882. That we may have
the opportunity of a final settlement
of our claims under the said Treaty
of 1783.

Mary Ann ^{her} + ^{Hampton}
mark

attest

David Adams

W. Hampton.

Sworn to before me the 20th day
February 25. 1883.

Given under my hand and
Seal of our Superior Court of Law
of said County - at Office of Murphy
the date aforesaid. *Witness written.*

Jos. C. Atley C. C.

Seal
of
the
Court

Mary Anne Neufeld
Et Al.

United States of America
Northern District
Indian Territory

I, J. W. Smith, County Public hereby certify
that the above is a true and correct copy of an
instrument filed for record and I further certify that
the same was carefully examined and found true
and correct. Witness my hand and seal this 1st day of Jan. 1893.

J. W. Smith
County Public.

Copy

Deposition

Grove Indian Territory

Delaware

July 4th 1896.

personally appeared David P. Silsen
who being duly sworn according to law
says he is personally acquainted
with John Blythe and his family
Mayann Blythe of H. H.
Hampton married George H. Blythe
Oma Blythe married Johnathan Blythe
I have known them for fifty five
years. I depose that the
Blythe family has been recognized
as Cherokee Indians by the White
Department for fifty five years
I depose that from his own knowledge that the
Cherokee Indians
as their people back in the State
of North Carolina. I depose that
that he is Cherokee Indian
Mayann is a sister the mother
of H. H. Hampton. She speaks the Cherokee
language well looked to be a half
Cherokee Indian from her appearance
Mayann Hampton and Ma Parker
were sisters. I depose that

testifies that he has heard George
Hampton and Johnathan Parker
say several times that they would
not have their children enrolled
as Cherokee Indians, for if they did
enroll them as Indians that
they would not be allowed their
oaths and would be sent off to the
West. Deponent testifies that George
Hampton nor Johnathan Parker
neither one of them ever taken
any Reservations in in the State.
Deponent states that he knows
there is to be true from his
personal knowledge.

Witness to make

W. B. Cooper

John H. Harkless

Subscribed + sworn to before me

This

7 July 1856

J. C. Starr

My Commission Expires

May 1 1857

Filed
July 1856

1000 Series 1000

1000

MY COMMISSION EXPIRES
1000

POOR ORIGINAL -
BEST AVAILABLE COPY

M. L. Wood
Lt. "A"

Copy

Depositions

Cherokee Nation
Tahlequah District }

Personally appeared before me Allen
Ross, Clerk of the aforesaid District
M. L. Hood, who being qualified States
That Annie Blythe was a Cherokee
woman by blood and lived in
Hiwassee Purchase in North Carolina
and that the Mother of St. St. Hampton
was the daughter of Annie Blythe.

Sworn to and Subscribed to before me
This December 1st 1881.

M. L. Hood

Allen Ross, Clerk
T. S. C. N.



United States of America.

Northern District. I J. C. Starr Notary Public hereby certify
the above and foregoing to be a true and correct copy of an
instrument this day exhibited to me and I further certify that the
same was carefully compared with the original and found true and c
correct. Witness my hand and seal this Aug 24th. 1893.

J. C. Starr
Notary Public.

Copy

Deposition

Cherokee Nation
Tahlequah Dist } personally came before me this
day D. R. Hicks Clerk of the aforesaid Dist William
Matney to me well known, after being duly
Sworn makes the following statement to wit:
I was acquainted with the Blythe family and
they had all the appearance of Cherokee Indians
and spoke the language well, the said Blythe
family were so considered Cherokee by the
majority of the white people of North Carolina
where they lived, also the Hampton families
were regarded Indians and are of the Blythe
family of people. This the 6th day of December 1876.
William^{his} Matney
Sworn to and Subscribed before me on this
6th day of December A.D. 1876.

D. R. Hicks Clerk
Tahlequah Dist
C. N.

I hereby certify that the above affidavit
is a correct copy of the original, given
in favor of the family who was said to be
Cherokee Indians. This 6th day of December
A.D. 1876.

Dec

D. R. Hicks Clerk
Tahlequah District
C. N.

William M. Maly
Col. H.

MY COMMISSION EXPIRES
MAY 2nd, 1898.

POOR ORIGINAL -
BEST AVAILABLE COPY

United States Indian Territory
First Medical Division

Before the Dawes Commission

In the Matter of the
Citizenship of J. P. Parker
and his Descendants.

I, L. D. Crawford of lawful age
who being by me duly sworn
deposes & says,

That his age is 37 years that
his Post Office Vinita, S. T.

That he is a Native of the State of
Georgia. That he has been
acquainted with J. P. Parker nearly
all his life. That he knew said
Parker ~~the~~ ^{late} Dablonega Lumpkin
of Georgia, and knew many of
his descendants as well.

That he always knew that this
branch of the Parker family were
Cherokee Indians by blood, at
least were so called and reputed
while they lived in Georgia, at
least 20 years ago this family
were called & known as Cherokees
and further said, not.

L. D. Crawford

Subscribed & sworn before me this
27th day of July A.D. 1896

W. H. Hibbs
Notary Public
My Comm. Ex. Mar. 1900

Cherokee Nation
(Tahlequah District)

Personally came before
me this 1st of Decr. 1876, Clerk of said
District, Maryann Clark, who on oath
states that she was personally acquainted
with the Hampton family in North
Carolina, and that the said Hampton
family was generally known and said
to be Cherokee Indians by the White
people who lived in that vicinity -
and that when they lived, was well
acquainted with James Glynn,
was a brother of Maryann Hampton,
member of the Quinmont, the Mary Hampton
family further states that James
Glynn had all the appearance of a
Cherokee and spoke the language
perfectly - (found in the Department
of the Interior)

Signed Maryann ^{her} Clark
mark

Subscribed before me
this 1st of Decr. 1876

(Signed) I. R. Nichols, Clerk
Tahlequah District

I hereby certify that the foregoing is a true
(original) affidavit of
Laurance Clark Gwin under my
of office. This 7th day
of January 1882. Allen Ross clerk
T.D. G.

United States of America

Indian Territory

Seventh District

57

I J. J. Starr, Notary Public hereby

certify that the foregoing is a true and correct

copy of the same as exhibited to me, and I further

certify that the same was carefully compared with the original

and found to be correct. Witness my hand and seal this Aug 8th

1882.

NOTARY PUBLIC
MAY 2nd, 1880.

Wm. Cook

Indian Territory
August 26th 1896.

Forasmuch as appeared Laura A. Dege
who has duly sworn says on oath
That she is well acquainted with
Joseph E. Foster. Knows him to be
first cousin to Mary Hoss my mother
and my Grand Mother
Marianne Parmond, were Sisters and
daughters of Jonathan and Annie
Dege.
Laura A. Dege

Indorsed and sworn to before me
this 27th day of August 1896.
D. J. Elliott

Notary Public

notary
notary

Cause: "Fryles"
1 Affidavit.

State of North Carolina
Cherokee County

James Taylor being duly sworn says
That he is well acquainted with one
Laura Dege of Pryor Creek Ind. Ter.
That the said Laura Dege before
marriage Laura Taylor daughter of
affiant. That said Laura Dege married
John H. Dege in South Carolina. That
said Laura Dege is of Cherokee Indian
blood, being descended as follows.
James Taylor one fourth Cherokee
by blood. Wiley Hoss mother of
said Laura one fourth Cherokee by
blood. David Taylor and wife Mary
Taylor Grand mother of Laura was
a half blood Cherokee Indian, being
the daughter of James Bigly and
Catharine. Both Cherokee Indians of
blood, James Bigly being one fourth
Cherokee by blood and Catharine Bigly
one half Cherokee by blood. That the
names of David Taylor and wife Mary
Taylor are on the Census role of 1835
also the names of James Bigly and
Catharine Bigly said Census role of
1835, and the said James and Catharine
Bigly were removed to the Indian
Territory in 1838 with the other Cherokee

Indian. Affiant is seventy four
years of age, and is a Citizen of the
Cherokee Nation Ind.

James Taylor

Sworn to and Subscribed before me

This the 21st day of August 1896.

D. L. Watts

Clerk Supr Court.

Indian Territory }
Northern District }

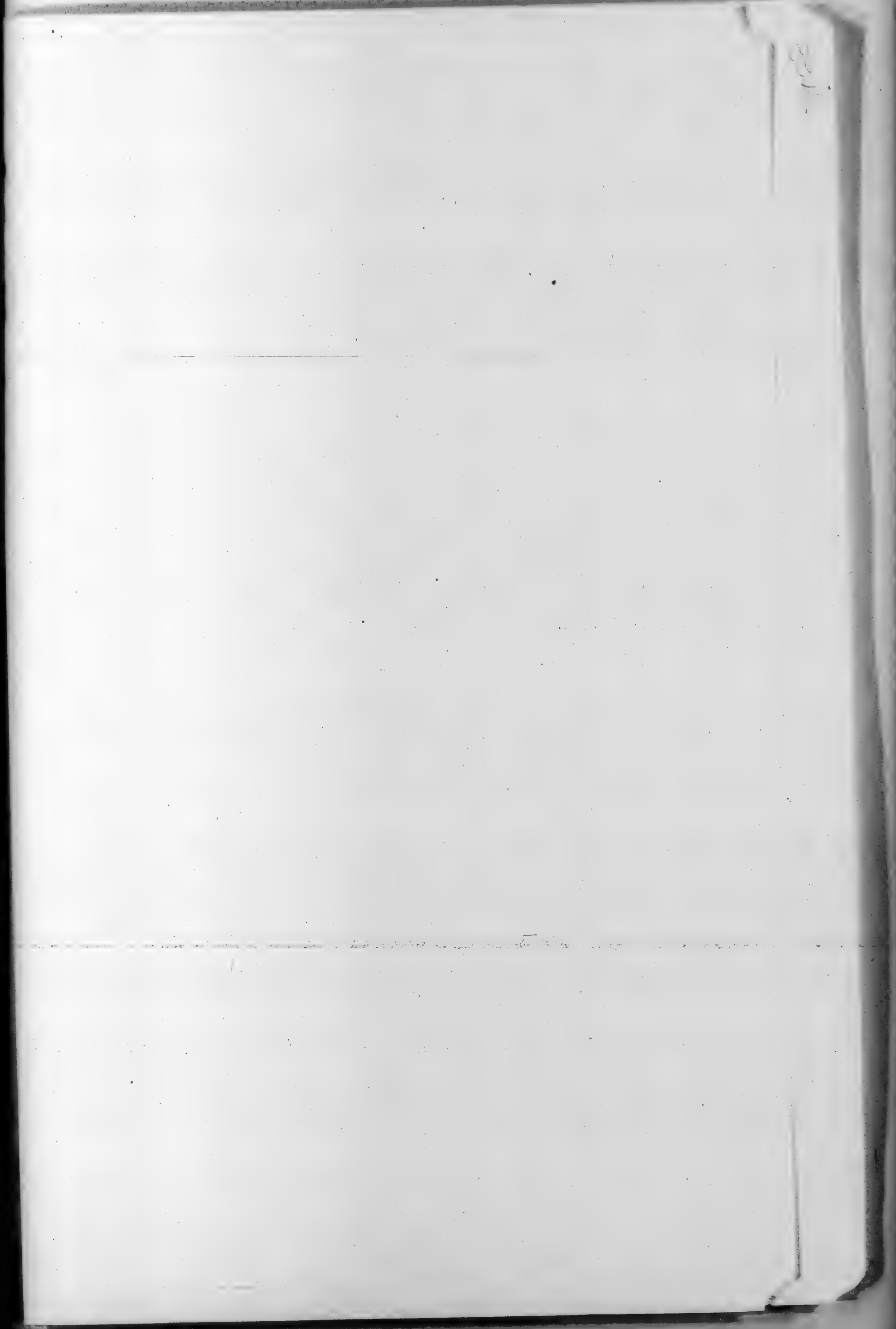
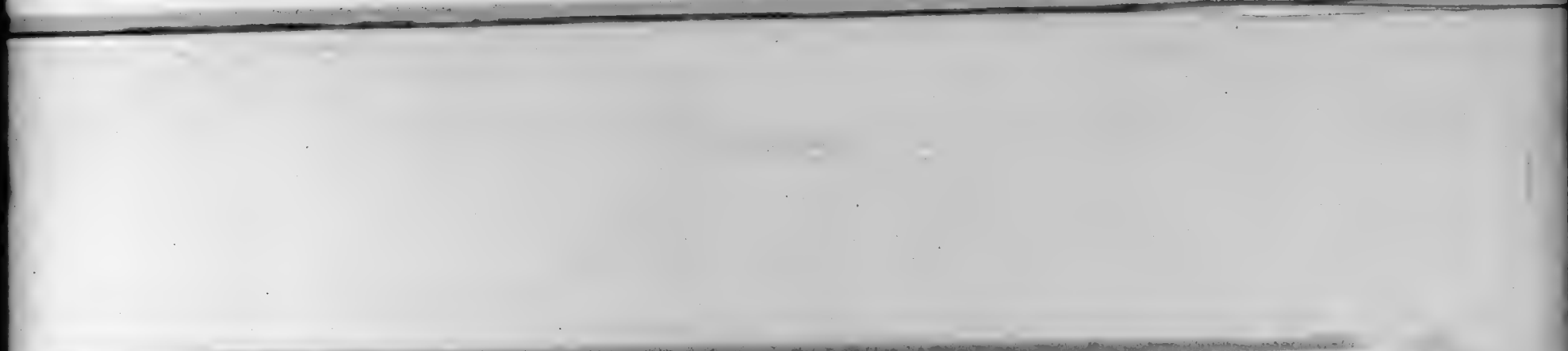
I do hereby certify that the within
and foregoing is a true copy
This the 21st day of August 1896

D. J. Elliott

Notary Public

North
District

End



Nation's No. 2043

Commission's No.

In re Application of

Mahala M. J. Simmons
et al

Demurrer and Answer.

FILED SEP 25 1888

A. S. MCINNIS

—COVER—

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabanis, and
A. B. Montgomery, Commissioners.

In the matter of application of
Mahala M. J. Simmons et al.
for citizenship in the Cherokee Nation.

Nation's No. _____
Commission's No. _____

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

- 1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.
2nd. That the application does not state facts sufficient, if true, to show that the applicant *et al.* entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that *James Bowen* through whom the petitioner claims to derive *her* right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation since the removal of said Nation, west to the Indian Territory as at present located and defined, that *her* name does not appear on any of the authenticated rolls of said Nation; that neither *she* nor any of *her* ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Doering, Hatching & Pauline* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this *18* day of *Sept.* 1896.

D. J. Ball
NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office

Registered Letter

of

addressed to

Exor C. S. I.
13 Rec'd *Sept 7th* 1896
M. Thompson
S. H. Mayer
Tahquah St
L Taylor P. M.
H. ast,

INDIAN TERRITORY.
NORTHERN DISTRICT.

26

IN the matter of the claim of *Laura S. Simons, Andrew
Simons, John S. Simons and Ellie May
Simons, Children of Mahala M. J.
Simons, dec'd.*

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee Indians, by descent and by blood.

On this *7th* day of September, 1896, before me, *C. H. Samuel* a Notary
with and for the Northern District in the Indian Territory personally came
D. J. Elliott to the known to be a credible person, who being by me,
first, duly sworn, testifies as follows:

I did on the *7th* day of September, 1896, see registered at the Post Office at *Pryor Creek*
in said District and Territory, a package addressed to "Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahle-
quah, Ind. Ter." That the Postmaster's receipt for said registered package No. *113* hereto attached, is a
receipt for said package which contained true copies of the following described papers in the case herein mentioned,
the same being all the papers presented to the Honorable Dawes Commission in this case.

Application sworn to by *Charles B. Hard-*
Affidavit of *Charles B. Hard-*
Affidavit of *Rufus M. Hard-*
Affidavit of *W. J. Hyten-*
Affidavit of
Affidavit of

I am not interested in this case and are not concerned in the prosecution thereof

Subscribed and sworn to before me this

7th day of September, 1896

C. H. Samuel
Notary Public.

To the Honorable Henry L. Dawes and Others Composing the Commission to the Five Civilized Tribes of Indians:

YOUR Petitioners, Laura S. Simons Andrew Simons
John S. Simons and Alice May Simon, by
their friend Charles B. Ward
would respectfully state and show, from the proof herewith submitted to the Commission, that

only one child of the Indian S by descent and by blood. That the names, ages and
places of birth of said petitioners are as follows:
Laura S. Simons 15 in Lawrence Co. Mo.
Andrew Simons 12 " " " " "
John S. Simons 10 " " " " "
Alice May Simon 8 " " " " "

That the name of the father of said Andrew S. Simons and that
the name of the mother of said Andrew S. Simons was Andrew S. Simons that said
Andrew S. Simons now reside in the State of Kansas and have
resided there for 6 years. Your petitioner S. A. U. descendants of Andrew S. Simons Andrew S. Simons
Andrew S. Simons Andrew S. Simons who was a Cherokee Indian
by descent and by blood Your petitioner S. A. U. aver... that these facts can be established by proof to the satisfaction of
the Commission under such rules and regulations as it may prescribe. And They further
aver... that these facts being proven, They are entitled to be adjudged, under the
laws of the United States Nation and the laws of Congress of the United States, and the treaties of
such Nation with the United States, citizen S of such Nation, with all the rights, privileges and protection of Citi-
zenship in such Nation. Wherefore They
herewith respectfully submit... for the consideration of the Honorable Commission such
proof, and upon the hearing thereof They ask... that their
name S be placed upon the proper roll as citizen S of such Nation.

Signature Charles B. Ward

State of Missouri ss.
County of Lancaster

NOW on this 5 day of September, 1896,
personally appeared before me John T. Moore
John T. Moore in and for said
Andrew S. Simons, Charles B. Ward
who being by me duly sworn upon oath states that the facts set
forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 5 day of September, 1896.
John T. Moore

POOR ORIGINAL -
BEST AVAILABLE COPY

25 State of Missouri
County of Lawrence

IN the matter of the claim of

Laura Simons, Andrew Simons,
John S. Simons and Office May Simons,
Minor children of Mahala M. J. Simons,
deceased.

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee
Indian & by blood.

On this 22 day of August, 1896, before me, John J. Moore, a Justice
of the Peace within and for the County of Lawrence
in the State of Missouri personally came CHARLES B. WARD,
to me known to be a credible person, who being by me first duly sworn, testifies in relation to the aforesaid claim as
follows:

I am 75 years old. I was born in Tazewell County, Virginia, in 1821. My home was not very far from the lines
of the States of Tennessee and North Carolina. I lived continuously in said Tazewell County from my birth until I
was about 11 years old. In 1832 I moved with my father and mother, Rees B. Ward and Elizabeth Ward his wife,
whose maiden name was Elizabeth Bowen, from Tazewell County, Virginia, to the State of Indiana.

I lived in the State of Indiana from 1832 until 1844, when I moved to the State of Illinois, and remained there un-
til 1846. In February, 1846, I moved with my family from the State of Illinois to Dade County, Missouri, and lived
there for about two years, and then moved to Lawrence County, Missouri, where I have lived continuously to the
present time. My Post Office is Halltown, Lawrence Co., Missouri. At the time I moved to Missouri I had a wife,
two children and a step-son.

My father and mother and their eight unmarried children came with me to Missouri, as did also my brother, Da-
vid S. Ward, and his wife and two children.

We all left the State of Illinois in 1846 intending to go to the Cherokee Nation, Indian Territory, to join the Cher-
okee people and to become citizens of that country.

We knew that we were Cherokee Indians by blood and by descent, and we were going to that country in pursu-
ance of an invitation extended by the Cherokees in the West to the Eastern band of Cherokees, to come and settle
in that country. It would have been no trouble, at that time, to have established our Cherokee blood, because many
of the family showed their Cherokee blood very plainly, and there were many witnesses then living, by which our
Cherokee blood could have been proven. When we got into Green County, Missouri, within about 18 miles of Spring-
field, we met a party of Cherokees, 10 or 12 in number, coming away from the Cherokee Nation, and among them was
a man by the name of Jacksie Standingturkey, who appeared to be a full blood, and finding that he spoke the Eng-
lish language, we sought an interview with him. We were anxious to learn something of the Cherokee country
before we went into it, and finding that Standingturkey knew all about said country and its people, we induced
him and his party to stop with us. We camped together for about two days and did some hunting, and the men in
our party learned what they could about the Cherokee country and its people. Standingturkey told us that he was
just from the Cherokee country, that it was a fine country, but that there was trouble there between two factions of
the Cherokee people, known as the Ridge and the Ross parties, that he belonged to the Ridge party, that his brother
had recently been killed there, and that he was then on his way to Tennessee, where his mother lived, and that he
would remain in Tennessee until the trouble in the Cherokee Nation was over. I do not know whether Standing-
turkey ever returned to the Cherokee Nation or not. We were then something like 100 miles from the East line of
the Cherokee Nation.

After Standingturkey and his party had gone, the three men in our party held a council and concluded that it
would not be best for us to go into the Cherokee Nation at that time, and we finally stopped in Dade County, Mis-
souri, some 50 or 60 miles from the Cherokee line. I intended still to go into the Cherokee country and make my
home there after the trouble there had ceased, but I finally bought land in Dade and Lawrence Counties, Missouri,
and have been here ever since.

The Cherokee blood of our family comes through my great grand mother on my mother's side, Louisa Bowen,
whose maiden name was Louisa Smith, and said blood comes to me as follows:

The said Louisa Bowen was the wife of Rees Bowen, formerly of Tazewell County, Virginia, and became the
mother of Rees Bowen, Jr., who was the father of Elizabeth Bowen, who married Rees B. Ward and became my mother.

My parents always told me that the Bowen and Ward families came from North Carolina to Tazewell County,
Virginia, a few years prior to the Revolutionary war. I often heard Lyles Dollsberry, another Indian, who lived in
our neighborhood, say that he knew the Bowen and Ward families in the State of North Carolina.

The said Louisa Bowen was very old when I can first remember. She died a short time before our branch of the family moved from Virginia to Indiana in 1832. Rees Bowen, the husband of the said Louisa Bowen, was killed at the battle of Kings Mountain, and said Louisa Bowen lived with her son, Rees Bowen, Jr., on the old homestead at Maiden Springs, in Tazewell County, Virginia, to the time of her death. I remember her appearance well. Her complexion was that of a half-breed Cherokee. She was tall, and very erect for one of her age, had long straight black hair, a little inclined to be gray, had high cheek bones, and her eyes and general appearance showed her Cherokee blood very plainly. I am well acquainted with the appearance of Cherokee Indians, and judging from her appearance the said Louisa Bowen must have been almost or quite one-half Cherokee. I do not now remember that I ever heard the said Louisa Bowen speak of her Cherokee blood, but I often heard my father and mother and the Indian, Lyles Dollsberry, talk of the Cherokee blood of our family. They told how the blood came, but I have forgotten how they said it came, except that it came through the said Louisa Bowen.

The said Lyles Dollsberry was regarded as a full blood Indian, at least I so regarded him. He looked to me like a full blood Indian. I do not know to what tribe he belonged but I know that he was not a Cherokee. He served with some of my ancestors in the Revolutionary war. When I can first remember he lived in our neighborhood, in Tazewell County, Virginia, was respected by all who knew him and he was a good liver. I was a frequent visitor at his house and he was a frequent visitor at our house, and I learned a great deal of what I know about the Cherokee blood in our family from hearing him and my parents talk about the matter. The said Rees Bowen, Jr., the said Lyles Dollsberry, and my father and mother are all dead.

The said Lyles Dollsberry used to talk to the boys of our family, tell us of our Cherokee blood and about what great warriors we would make. William T. Hyten, who now lives in the Choctaw Nation, Indian Territory, is a grand son of the said Lyles Dollsberry. I used to play and wrestle with him in Tazewell Co., Virginia. He lived with his said grandfather then. I have seen him but once in sixty-four years.

It was always understood by the members of our family that we had Cherokee blood and I was so taught from my earliest recollection. The negroes of the family often called the children of the family "Little Cherokees."

After our family left Virginia, in 1832, I lost sight of a great many of the descendants of said Louisa Bowen. After our branch of the family moved to Indiana, I learned from letters received and from other sources that a number of the family moved from Virginia to Johnson County, Arkansas. Among those who moved to Johnson County, Arkansas, were Major John Ward and Nancy, his wife, who was a daughter of the said Louisa Bowen, and their family of some 8 or 10 children, and among said children was

I have but little acquaintance with the descendants of the children of the said Major John Ward and Nancy, his wife, having been separated from them for about 64 years.

The Claimants in This Case are my grandchildren being the children of my daughter Mahala M. J. Simons deceased. They have Cherokee Indian blood and said blood comes to them through the said Louisa Bowen as follows:
The said Louisa Bowen was the mother of Rees Bowen Jr. who was the father of Elizabeth Bowen who married Rees B. Ward and became the mother of Charles B. Ward (This affiant) who was the father of Mahala M. J. Ward who married P. J. Simons and became the mother of these Claimants

I have a distinct recollection of the children of the said Major John Ward and Nancy, his wife, and especially do I recollect Augustus M. Ward, Rebecca S. Ward, who married Wm. Crawford, and Rufus M. Ward, and Rufus M. Ward is the only grand child of the said Louisa Bowen now living within my knowledge.

Subscribed and sworn to before me this 22 day of August 1896, and I certify that I am well acquainted with the said Charles B. Ward, having known him intimately for 22 years, and I know that his reputation for truth and veracity is as good as that of any one, and that his statements are entitled to full faith and credit. I am not interested in this claim or the prosecution thereof.

Given under my hand and official seal on the day and year last aforesaid.

Notary Public
John B. Ward

John B. Ward
Notary Public

#20

State of Virginia
County of Tazewell

In the matter of the claim of Laura Simons, Andrew Simons,
John S. Simons and Ellie May Simons,
children of Mahala M. J. Simons, who was
a daughter of Charles B. Ward.

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee
Indians by blood.

On the 24th day of August, 1898, before me, J. C. Savage, a Notary
within and for the County of Tazewell
in the State of Virginia personally came RUFUS M. WARD,
to me known to be a credible person, who being by me first duly sworn, testifies in relation to the aforesaid claim as
follows:

I was born in Tazewell County, Virginia, in 1818, and lived there continuously until I was about 16 years old.
In 1834 I moved with my parents from Tazewell County, Virginia, to Johnson County, Arkansas. I lived in Arkan-
sas and Texas from 1834 to 1854, when I moved to the State of California. I moved from Johnson County, Ark. to
California. My Post Office address when I am at home is Fresno City, Fresno County, California. I am now visiting
relatives and friends in Tazewell County, Virginia.

I have Cherokee Indian blood and said blood comes to me through my grand mother on my mother's side, Louisa
Bowen, whose maiden name was Louisa Smith, who formerly lived at Maiden Springs, in Tazewell County, Virginia.
She died here a few years before I left Virginia. I was a frequent visitor at her house when I was a child. It has
always been well understood by the members of our family that we had Cherokee blood and that said blood came to
us through the said Louisa Bowen. I was always so taught by my mother and by other descendants of the said
Louisa Bowen.

I am acquainted with the appearance of Cherokee Indians and the said Louisa Bowen showed her Cherokee blood
very plainly. My mother is dead and I am the only one of her children now living. I am the only grand child of
the said Louisa Bowen now living within my knowledge. Charles B. Ward, of Hallsboro, Missouri, is a great grand
son of the said Louisa Bowen.

William T. Hyten, who now lives in the Choctaw Nation, Indian Territory, used to live in our neighborhood. In
Tazewell County, Virginia, we used to be playmates when we were boys together. He is about my age.

Many of the members of our family showed their Cherokee blood very plainly. My brother Rees Ward, who is
now dead, was called the "Big Indian," on account of his showing his Cherokee blood so plainly.

I am not acquainted with the Claimants
in this case, but I am informed that
they are the children of Mahala M. J. Simons
widow who was a daughter of Charles
B. Ward and who married P. P. Simons

If this information be correct - then said
claimants - have Cherokee blood and said
blood come to them through the said Louisa
Borden as follows:

The said Louisa Borden was the mother
of Rees Borden Jr. who was the father of
Elizabeth Borden who married Rees B.
Ward and became the mother of Charles
B. Ward who was the father of Mahala
M. J. Borden Ward who married P. R.
Simons and became the mother of these
claimants.

Subscribed and sworn to before me this 11th day of August 1896,
and I certify that I am well acquainted with the said Rufus M. Ward, having known
him intimately for years, and I know that his reputation for truth and veracity
is as good as that of any one, and that his statements are entitled to full faith and
credit. I am not interested in this claim or the prosecution thereof.
(Given under my hand and official seal on the day and year last aforesaid.)

#26. Central Indian
Division
Choctaw nation

IN the matter of the claim of Louisa Bowen, Andrew Simons,
John S. Simons and Ellis May Simons,
Minor Children of Mariah M. J. Simons, who
was a daughter of Charles B. Ward
for enrollment as citizens of the Cherokee Nation, Indian Territory, as
Cherokee

Indian by blood
On this 1 day of Sept 1888 before me, Notary Public
central Indian Division
in the Choctaw nation personally came WM T. HYTEN,
to me known to be a credible person, who being duly sworn, testifies in relation to the aforesaid claim as
follows:

I am 78 years old. I was born in Lee County, Virginia, and was carried to Tazewell county, Virginia, when I
was four years old. I resided continuously in Tazewell county, Virginia, from the time I was four years old until I
was nineteen years old. In 1838 I moved from Tazewell county, Virginia, to Johnson county, Arkansas, and lived
there continuously until 1868 when I moved to the Choctaw Nation, Indian Territory, where I now reside. My post-
office is Red Oak, Indian Territory.

I have Choctaw Indian blood. My grandfather, Lyles Dollsberry, with whom I lived in Tazewell county,
Virginia, was a Choctaw Indian. The Cherokee Indian blood of these claimants comes to them through Louisa
Bowen, whose maiden name was Louisa Dollsberry, who lived at Maiden Springs, in Tazewell county, Virginia, with
her son, Rees Bowen, sr. after the death of her husband, Rees Bowen, sr. It is a matter of history that the said
Rees Bowen, sr. was killed at the battle of King's Mountain during the Revolutionary war. My grandfather, the
said Lyles Dollsberry, often told me that he served with the said Rees Bowen, sr., in the Revolutionary war and
that he was killed at the battle of King's Mountain.

They fought on the side of the Colonies. I remember the said Louisa Bowen very well, though she was quite
old when I can first remember. She was about 50 or 55 years near as I can recollect. She was quite tall, very erect
for one of her age, had long straight black hair, worn in a bun, and her general appearance was that of a Chero-
kee Indian. Many of her descendants showed both Cherokee blood very plainly, and had many of the character-
istics of the Cherokee Indians.

I am well acquainted with the appearance and characteristics of Cherokee Indians, having seen them and been
among them frequently. I lived about 2 miles from where the said Louisa Bowen lived in Tazewell county, Va.,
and was a frequent visitor at her home during her lifetime. My home was about 24 miles from her home. She also
had a number of grand-children and great-grand-children living there and I frequently visited them, and they were
frequent visitors at my home when I was a child. Many of the grand children of the said Louisa Bowen were my
play-mates and school-mates. I remember many of the Cherokee blood of the Bowen family from the grand
children of the said Louisa Bowen, many of whom were about my age and were my play-mates and school-mates, as
before stated. My grandfather, the said Lyles Dollsberry, and his family and the said Bowen family were very in-
timate on account of the existence of Indian blood in both families. It was, however, well understood that the In-
dian blood in the Bowen family was Cherokee, while the Indian blood in the Dollsberry family was Choctaw, yet the
families visited each other and associated together like kin-folks on account of their Indian blood. I frequently heard
my said grandfather, Lyles Dollsberry, and his children and grand-children of the said Louisa Bowen talk of the
Cherokee blood in the Bowen family. They said it came through the said Louisa Bowen. She had the appearance
of being one half Cherokee. My said grandfather, Lyles Dollsberry, came from North Carolina to Virginia and I
frequently heard him state that he knew the said Louisa Bowen and her family in the State of North Carolina before

they moved to Virginia. All the children of the said Louisa Bowen are doubtless dead, as they were all too old to live to this date. But one of the grand-children of the said Louisa Bowen is now living within my knowledge, his name is Rufus M. Ward, and I am told that he is now in Tazewell county, Virginia. Charles B. Ward, a great-grandson of the said Louisa Bowen, now lives at Hahitown, Lawrence county, Missouri. The said Rufus M. Ward and the said Charles B. Ward are about my age, and they were school-mates and play-mates in Tazewell county, Virginia, when we were children. I knew the said Rufus M. Ward well, after he and his family moved to Johnson county, Arkansas, but have seen him but once in the last 42 years. I have seen the said Charles B. Ward but once in the last 64 years. It was family tradition and general report among the descendants of the said Louisa Bowen that they had Cherokee blood and that said blood came to them through said Louisa Bowen. The said Lyles Dollsberry and all his children including my mother are dead. One branch of the family of the said Louisa Bowen moved from Tazewell county to the State of Indiana in about the year 1832. This was the family of Rees B. Ward, whose wife Elizabeth Ward, nee Bowen, was a grand-daughter of the said Louisa Bowen. She was the mother of the said Charles B. Ward above mentioned. Another branch of the family of the said Louisa Bowen moved to Johnson county, Arkansas, from Tazewell county, Virginia, in about the year 1834. Among those who moved to Johnson county, Arkansas, at that time was the family of Major John Ward, whose wife was Elizabeth Ward, nee Bowen, who was a daughter of the said Louisa Bowen. She was the mother of the said Rufus M. Ward above mentioned. Many of the descendants of the said Louisa Bowen now reside in Johnson county, Arkansas. The Cherokee blood of these claimants comes to them through the said Louisa Bowen as follows:

-According to information received by me as to their ancestry, which I believe to be correct. The said Louisa Bowen was the mother of Rees Bowen Jr. who was the father of Elizabeth Bowen who married Rees B. Ward and became the mother of Charles B. Ward who was the father of Melinda M. J. Ward who married P. P. Simons and became the mother of these claimants.

I was well acquainted with the ancestors of these claimants from the said Louisa Bowen down to and including the said Charles B. Ward and their grandfathers.

Wm T Hyten

Subscribed and sworn to before me this 1 day of sept. 1898, and I certify that I am well acquainted with the said Wm. T. Hyten, having known him intimately for 4 years, and believe that his reputation for truth and veracity is as good as that of any one and that his statements are entitled to full faith and credit. I am not interested in the claim or the prosecution thereof.

Given under my hand and official seal on the day and year last aforesaid.

W. W. J. J. J.
Notary Public

2643

5346

Mahala M. J. Simon's
Children.

Cherokee

Successor: Louisa Bowen

J. M. Thompson, Agent
Cherokee, Ga.

Repeated

Filed Sept 8th 1896.
A. S. McKinnon
Comm

End

3347

7103347

J. M. Gainbill Et al

vs.

Cherokee Nation

Appellate Order of
U.S. Court

61-2

NOTICE.

#64

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT.

SS.

In the United States Court for said District.
In the matter of the application of
J. M. Gainbill et al
to be
enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

J. M. Gainbill, W. J. Gainbill, A. J. Gainbill, Geo W. Gainbill, B. F.
Gainbill, Jr., T. J. Gainbill, Jos. S. Gainbill, B. F. Gainbill,
Olina Dahl, Mary F. Shelton, W. F. Gainbill, Josie M. Williams/ Susie J.
Steeleman, Seba Gere, Eva M. Browning, Alice Gee, Sarah F. Brigance,
Robt S. Dalton, Lucinda Dalton, G. L. Dalton, John Jelley, Andy Nickleson,
John Ward, Betsey Yates, Alice Malone, Nona Webb et als

to be enrolled as citizens of the Cherokee Nation, from said
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a
transcript of all the entries made in the docket of your tribunal relating to the case, together with the
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the
seal thereof, at Muskogee, Indian Territory, the 19th day of
Dec. 1896 A.D. 189

Jas. A. Winton Clerk.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, } ss.
Cherokee Nation.

I, R. L. RUDISILL, do solemnly swear that on the _____ day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. 544, hereto attached, is a receipt for said package, which contained true copies of the application of J. M.

~~George N. Gambill~~ A. J. Gambill, B. F. Gambill, T. J. Gambill, B. F. Gambill Jr., Alice
George N. Gambill, W. J. Gambill, W. F. Gambill, Mary F. Shelton.
~~and the affidavits of~~ Sarah J. Brigance, Lucinda Dalton, G. L. Dalton
R. S. Dalton, Susan J. Steelman, And Mary E. Webb & Josie M. Williams
And of the Affidavits of - A. J. Gambill, Thos. J. Gambill
B. F. Gambill Rebecca Elliott
Edward Foreman, John Patton Gourd, W. W. Ward, James Watts
Nancy Ward, Catherine Gaires, Mary Riley, Rebecca Martin Wingham Martin
Joseph Riley, W. W. Ward, Stephen J. Withers C. C. Yorkman & J. Nicholson, Lucinda
Dalton, & G. L. Dalton
in support of same. That affiant has no interest in this matter.

R. L. Rudisill

Subscribed and sworn to before me this, the _____ day of September, 1896.

W. J. Stanfield

1

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of A. J. Tumbille for Citizenship
in the Cherokee Nation, Indian Territory.

Your petitioner, *A. J. Gumbill*, being duly sworn, represents that he is
a *Cherokee* Indian by blood and entitled to the rights, privileges and benefits of Indians of
the Cherokee Nation, Ind. Ter. *E. G. Smith* *Uncle Ben, Petitioner's Mother*

the Cherokee Nation, Ind. Ter.
That Jerre Ward, Petitioner Ward, Bro. of petitioner's brother
whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the
year 18 35, was a Cherokee Indian by blood, through whom petitioner claims his rights to Citizen-
ship in said Nation, together with the rights of his children. The names, age and sex of said children
are as follows:

| NAMES | AGE. | SEX. |
|----------------|------|--------|
| Nettie Pembell | 21 | Female |

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 67 years of age, and a resident of Caddo, I. T.

That petitioner is 07 years of age, and a resident of the State of Georgia.
Your petitioner further states that he has not, to the best of his knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that his name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence he desires considered and prays that on the final hearing in the premises, his name and that of his children be placed on the rolls to be prepared, and applicant's rights, with those of his said children, be determined as per the proof herewith, and the laws and treaties governing.

J. J. Gambill

Subscribed and sworn to before me this

A. J. Gambill
10 " day of August, 1896
Harry C. Dor-Call
Notary Public.

My commission expires

Samuel H. Williams
Fannin County, Georgia personally appeared
before me in Texas a Justice
of the Peace and Escribano Notary Public
in and for aforesaid State and County
of Gambell, aged 58 years, a Cherokee
Indian by Blood and descent, and
aforesaid State and County, who
being duly sworn according to Law,
did make the following statements viz.

That he was personally acquainted
with Jeremiah Ward now deceased in
Fannin County Texas, James Ward
now deceased in Hopkins County Texas,
Thomas Ward now deceased in Christian
County Illinois, and Sarah Gambell
now deceased in Fannin County Texas.
also that he knew them to be full Brothers
and Sister and Cherokee Indians by
Blood and descent.

He further states that Henrietta Yates
formerly a Ward, Ellen Howell formerly Ward
Janey Ward a Blind Girl, Amanda Jolly
formerly Ward, William Ward, Elisha
Ward, James Ward and John Ward.
are the Sons and Daughters of
Jeremiah Ward now deceased in
Fannin County Texas.

He further states that James Ward-

John Ward Nancy Perrell formerly Ward,
Sally Martin formerly Ward, Elizabeth
Lee formerly Ward, Narcissa Martin
formerly Ward, and Ira Ward, are
the sons and Daughters of James
Ward now deceased in Hopkins
County Texas

Another states that William
Ward is the son of Thomas Ward
now deceased in Christian County Illinois

Another states that William Gambill
Lucinda Dalton formerly Gambill,
Mary & Polly Dalton formerly Gambill,
Elizabeth Yates formerly Gambill,
Helen formerly Gambill,
John & William Gambill, Joseph M. Gambill
& Robert Gambill and Benjamin D. Gambill

the sons and Daughters of
Sarah Gambill formerly Ward now
deceased in Fannin County Texas

Another states that Eliza Jane
Whitman formerly Dalton, John W. Dalton,
William C. Dalton, Sarah E. Dalton formerly
Dalton Charles A. Dalton, George W.
Dalton, Robert S. Dalton, General Lee
Dalton, and Mary Lucinda Terrell
formerly Dalton are the sons and Daughters
of Lucinda Dalton and Cherokee Indians
by blood and descent

Affidavit of
A. J. Gambill

He further states that Mary E Webb
formerly Gambill, Martha A. Nail
formerly Gambill, William A. Gambill,
George W. Gambill, Susan J. Gambill
and Margaret Nettie Gambill
are the sons and Daughters of
Andrew J. Gambill

He further states that Stephen
D. Withers is the Husband of Sally
Withers formerly Ward, and that
Allen J. Withers is their son

He also states that Lewis
Marion Ward is a Grand son of
Jeremiah Ward now deceased in
Fannin County Texas.

This the 18th day of May A.D. 1887

Andrew J. Gambill
Sworn to and subscribed before me this 18th
day of May A.D. 1887

W. H. Lanning J. P. and
Notary Public Fannin Co. Texas

End

100

Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

INDIAN TERRITORY, Aug 29 1896

Received from

Smith - purporting to be copies of

the following documents, to-wit:

application of Richard I Peak - and affidants
at Japhin Morton, Nancy Morton -

William Morton - James R Peak -

John R. G. Smith - George M. Bryan Jr -

Wm. Morton - J. E. Smith - Joseph Henson / with certificate

certified to by *no one who do not know they are true copies -*

as true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes

Commission in support of the claim of

Richard I Peak -

for Cherokee citizenship.

By *William H. Hester* EXECUTIVE SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

UNITED STATES OF AMERICA.
INDIAN TERRITORY,
NORTHERN JUDICIAL DISTRICT.

This day personally appeared A. C. C.
Garcen who being duly sworn, states that on the _____ day of August,
1896, at the Cherokee Nation, he received from the hands of Samuel Hayes,
Principal Chief of the Cherokee Nation, a full, true and perfect copy
of the petition of Richard J. Smith and others
and others, together with the accompanying documents for citizenship
in said Nation, all of which petition and documents are hereto at-
tached.

Richard J. Smith

Subscribed and sworn to before me this _____ day of _____, 1896.

A. C. C.
Notary Public.

1882, and since that time he has resided in the Cherokee Nation.

Your petitioner, Richard T. Peak, for and in behalf of himself, wife S. A. Peak, and children, to-wit:-

| | |
|------------------------------|--------------|
| James B. Peak | age 25 years |
| Clay O. Peak | • 35 • |
| Anna L. Peak (now Stevenson) | age 10 years |
| Harvey B. Peak | age 20 years |
| Johnie B. Peak | • 20 • |

respectfully petitions your honorable body for rights to Cherokee citizenship and enrollment as such in the Cherokee Nation.

Your petitioner states that he is the son of Judah Peak who was the wife of James Peak and the claimant's father. Said claimant was born in lawful wedlock. The said Judah Peak was the daughter of Joseph Henson. Richard Henson was her brother. That the said Judah Peak and James Peak and Richard Henson were all descended from the same blood and members of the Cherokee tribe of Indians. The said James Peak is the uncle of Watt Christie, a Cherokee Indian by blood, and a member of said tribe, whose name appears on the census roll of said Nation. The said James Peak, Russell Peak, Stephen Peak, Ezra Peak, Ted Peak and Sally Peak all migrated from the State of Georgia to the Cherokee Nation, Ind. Ter in about the year 1828, and were all descended by blood. The said James Peak, the father of your petitioner and various other persons named Peak, are enrolled upon the first trust roll for the Saline District of said Nation on page 238.

Your petitioner further states that he duly applied to the authorities of the Cherokee Nation for admission to citizenship therein prior to the year 1880, and that he has resided in the Cherokee Nation for the last 15 years, and that he came to said Nation in good faith believing that he was a Cherokee Indian by blood, and that his rights as a Cherokee citizen to which he believes himself to be fully entitled

to all the rights and privileges of citizens of the United States.

Your petitioner further states that the said James R. Peak and his wife Mary J. Peak, have five children, boys born and born in lawful wedlock, viz:

- Robert E. Peak age 18 years,
- James R. Peak age 11 years,
- Dora Peak age 7 years,
- James B. Peak age 3 years,
- Mary Peak age 18 months.

That his said son James R. Peak and his wife have three children

born in lawful wedlock, viz:-

- Henry C. Peak age 3 years,
- James P. Peak age 4 years,
- James J. Peak age 1 year.

That his said son James L. Stevens and his wife J. B.

Stevens have five children born in lawful wedlock, viz:-

- James B. Stevenson age 14 years,
- James L. Stevenson age 10 years,
- William P. Stevenson age 8 years,
- Lillian R. Stevenson age 6 years,
- Charles E. Stevens son, age 1 year,
- Martha Stevens daughter age 1 year,
- Alma Marcus, ^{daughter} age 6 months.

That his said son, Harvey Peak and wife Melvina, have two chil-

dren born in lawful wedlock, viz:-

- John H. Peak age 3 years,
- Lee Peak age 3 months.

All of the said children of James R. Peak and James L. Stevens and Harvey Peak are lawful descendants to and relationally consanguinity of the ancestors heretofore mentioned.

Wherefore, the premises duly considered, your petitioner prays judgment of admission to Cherokee citizenship, and for other proper relief.

Richard L. Peak, Jr.
Harvey, James L. Peak, his
Attorneys.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

Richard T. Peak being duly sworn states that
the facts set forth in the foregoing application are true as he
verily believes.

L. A. Fears,

Notary Public.

UNITED STATES OF AMERICA,

NOTHING IS DIGESTIBLE.

THE

[illegible]

Journal of Management Education 26(8)

1900

re-described as a result of reference to this list in 1907 August, 1896.

1. 1941 10. 12. 1941

[illegible]

My com. ex. Oct. 17th, 1891.

UNITED STATES OF AMERICA,
JULIAN TERRY,
NOTARY PUBLIC, DISTRICT OF COLUMBIA.

Witness personally appeared before me the undersigned Notary Public and for the Territory and District aforesaid, James B. Peck who being first duly sworn stated on oath that he is thirty nine years of age and resided in Chicago, Indian Territory and by and before him a competent.

He stated that he is personally well acquainted with James B. Peck Jr., William J. Peck, and Julia Albert who Peck who are the sons of Russell Peck who were born in lawful wedlock. That said Russell Peck is the full brother of affiant's father, Richard T. Peck.

Affiant further stated that it has always been commonly and continuously reputed in his father's family and grand father's family, and in the family of Russell Peck aforesaid; that the said R. T. Peck and his children, and the said Russell and his children, and the said father, James Peck, and his children were all christened in the same place, and such has been the general reputation of said Peck in the community where they have lived.

James B. Peck,

Subscribed and sworn to before me this 25th day of August, 1893.

H. A. Terry,

Notary Public.

IN WITNESS WHEREOF,

I have hereunto set my hand and seal.

Witness my hand and seal this 21st day of August, 1900.
J. C. Ingersoll, Secretary.
The Board of Directors of the
Central National Bank of New York
and the City of New York.
The Board of Directors of the
Central National Bank of New York
and the City of New York.
The Board of Directors of the
Central National Bank of New York
and the City of New York.
The Board of Directors of the
Central National Bank of New York
and the City of New York.

Witness my hand and seal this 21st day of August, 1900.
J. C. Ingersoll, Secretary.

Attest: J. C. Ingersoll.

Witness my hand and seal this 21st day of August, 1900.

J. C. Ingersoll,

Secretary.

W. C. Ingersoll, 9/21/00.

[illegible]

_____ by _____ on this the 3rd day of May, 1920.

U.S. GOVERNMENT PRINTING OFFICE: 1967

STANDARD AIR LEVEL.

Journal of Management Studies, 19(6), 701-718.

UNITED STATES

Know all men by these presents, that I, JOSEPH L. BARKER, of the County of [] State of [], do hereby certify that the within and foregoing is a true and correct copy of the original of the same, as the same appears from the records of the [] Court of the County of [] State of [], and that the same is a true and correct copy of the original of the same, as the same appears from the records of the [] Court of the County of [] State of [].

JOSEPH L. BARKER, Jr.

Notary Public for the County of [] State of []

Subscribed and sworn to before me this [] day of [] A.D. 19[] at []

JOSEPH L. BARKER, Jr.
Notary Public.

I, [] do hereby certify that the within and foregoing is a true and correct copy of the original of the same, as the same appears from the records of the [] Court of the County of [] State of [], and that the same is a true and correct copy of the original of the same, as the same appears from the records of the [] Court of the County of [] State of [].

I hereby certify that the within and foregoing is a true and correct copy of the original of the same, as the same appears from the records of the [] Court of the County of [] State of [], and that the same is a true and correct copy of the original of the same, as the same appears from the records of the [] Court of the County of [] State of [].

JOSEPH L. BARKER, Jr.
Notary Public.

State of Missouri,

County of [illegible].

[illegible] being duly sworn, deposes and says that he is well acquainted with [illegible] and Jack Beck his sons, and that [illegible] that belonged to the [illegible] North Carolina, and [illegible] Beck [illegible]

Witness my hand and seal

Notary Public

Given under my hand and seal this [illegible] day of [illegible] 189[illegible].
[illegible]
[illegible]
[illegible] 189[illegible]

characterization

11-10-1964

L. E. ...

Subscribed and sworn to before me this 26 Apr, 1961.

1941

Notes: 10/1/14.

UNITED STATES OF AMERICA,

INDIAN TERRITORY, SS.

NORTHERN JUDICIAL DISTRICT.

In the matter of the application for Cherokee
Citizenship of Richard T. Peak applicant and claimant.

I, Joseph Henson, being first duly sworn state that I am 76
years of age, am a Cherokee Indian by blood, and have been born and
raised with and among the Cherokee Indians. I lived in Frogtown in
the State of Georgia for many years. I knew Juda Peak during the
whole of my early life, was principally raised in the same neighbor-
hood with her and came to the present Cherokee Nation with her under
the Treaty of 1838. The said Juda Peak afterwards returned to the
State of Georgia where she remained until her death. She was always re-
garded and reputed to be a Cherokee Indian in her own family and in
the community in which she lived by her neighbors. She is the mother
of the said claimant, R. T. Peak. The said Juda Peak is my aunt. She
was my father's sister, and my father Richard Henson was an Indian by
blood, and a member of the Cherokee tribe. I also know James Peak, the
father of the claimant R. T. Peak, and the said James Peak was a
Cherokee Indian by blood, and was so reputed generally in his own
family as well as by the people generally in the community in which
he lived in the State of Georgia; he lived in Frogtown in the State
aforesaid; he also migrated to the present Cherokee Nation west of
the Mississippi River under the Treaty of 1838. Both James and Juda
Peak had all the appearance of being Indian; they were dark complected
dark hair and eyes. I am positive that the said claimant is and was
reputed and known to be the son of said James Peak, and was born in

lawful work, and I am not in the habit of doing any work
of the kind I have just mentioned.

When I was in the army in 1898, and I was in the
and I am not in the habit of doing any work

Attent to work

Walter W. W.

W. W. W.

W. W. W.

W. W. W.

W. W. W.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

SS.

In the case of Richard T. Peak, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me H. O. Gornaley a Notary Public within and for the State and District aforesaid duly authorized to administer oaths, Watt Christie, to me personally well known to be reputable and entitled to credit, and who being by me first lawfully sworn according to law, deposes and says: My name is Watt Christie; my age is 80 years; my post office address is Tahlequah, I. T. I am a farmer by occupation; I am a citizen of the Cherokee Nation by blood.

And affiant declares in relation to the above named case as follows, to-wit: I was acquainted with James Peak; he is my uncle; he was a Cherokee by blood. The applicant Richard T. Peak is a son of James Peak.

His
Watt X Christie
mark.

Subscribed to and sworn by me this 28th day of December, 1895.

H. O. Gornaley,

Notary Public.

Northern District, I. T.

My Commission ex. Jan. 16th, 95.

United States of America,
Indian Territory,
Northern Judicial District.

This day personally appeared before me,

Pearl Eddleman, a Notary Public in and for said District and Territory, S. S. Pears, who being duly sworn states that he did on the 7th day of September, 1890, mail at Muskogee to W. T. Hutchins, Attorney for Cherokee Nation, by letter duly stamped and directed to Tahlequah, I. T., a full, true and perfect copy of the petition of Wm. A. Peak and others, together with the accompanying documents for citizenship in said Nation, all of which petition and documents are hereto attached

S. S. Pears

Subscribed and sworn to before me on this 7th day of September, 1890.

Pearl Eddleman

Notary Public.

To the Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOMAS B. CADANISS, and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896 to hear and determine Claims for Citizenship in the Cherokee Nation:

Gentlemen:-

Your petitioners the undersigned William A. Peak for and on behalf of himself and his children and his grand children below mentioned who were begotten and born in lawful wedlock and now living, come and petition your honorable body for citizenship in the Cherokee Nation. The following are the children of the said William A. Peak, to-wit:-

Charles C. Peak, male, age 41 years.
Daniel L. Peak, male, age 36 years.

The said Charles C. Peak has the following children, to-wit:-

Bronna L. Peak, female, age 15 years.
Lottie B. Peak, female, age 12 years.
Ruth Peak, female, age 3 years.

The said Petitioner, William A. Peak says he is sixty one years of age, and that he is the lawful son of Absalom Peak who was the brother of James Peak, and James Peak was the father of Richard T. Peak now an applicant for Cherokee citizenship before your honorable body. That the said Absalom Peak was a Cherokee Indian by blood and resided in the Cherokee Nation east of the Mississippi River in the State of Georgia where the Cherokee people resided prior to the treaty of 1828 and of 1835. That the said Absalom Peak was an undisputed member of the Cherokee tribe of Indians, and that he never at any time took any reservation or consideration for his or the petitioners' prospective interest in the Cherokee Nation west of the said River (Mississippi.)

Your petitioners further state that they are the relatives by consanguinity to the petitioners in the petition of Richard T. Peak and others for citizenship in case numbered_____, and your petitioners herein, therefore, hereby refer to and make part hereof the evidence and proofs in the case of the said Richard T. Peak and others and rely in part upon the same in support hereof.

That your petitioners are Cherokees by blood, and as such entitled to all the rights, privileges and immunities of citizens of the Cherokee Nation.

Wherefore, the premises duly considered, your petitioners pray to be admitted and enrolled as Cherokee citizens, and for such other relief as they may be entitled to.

Marcum, Fears & Owen,
Attorneys for Petitioners.

United States of America,
Indian Territory,
Northern Judicial District.

The above named petitioner, William A. Peak, says the statements contained in the above and foregoing petition are true.

Wm A Peak

Subscribed and sworn to before me on this 7th day of September, 1896.

Pearl Eddleman

Notary Public..

*original
affiant*

United States of America,
Indian Territory,
Northern Judicial District.

This day personally appeared before me,
the undersigned, Pearl Eddleman, a Notary Public in
and for said District and Territory, Richard T. Peak, who being duly
sworn states on oath that he is personally well acquainted with Wil-
liam A. Peak, petitioner and applicant for Cherokee citizenship in
connection with his, the said William A. Peak's children and grand
children.

That the said William A. Peak is the first cousin of this affiant.
That said William A. Peak is the lawful son of Absalom Peak who is the
full brother of James Peak, the affiant's father. That the said Wil-
liam A. and this affiant are the lawful children of the said Absalom
and James Peak, brothers as aforesaid, all of whom are Cherokee In-
dians by blood. That the said Absalom and James were always as far back
as affiant has any recollection recognized and reputed to be Cherokee
Indians by blood, and such has always as far back as he can remember
been the reputation of the said Absalom Peak and his family, and such
has been the common repute in those families as far as he can recol-
lect, and such he remembers as far back as his boyhood days, and the
affiant says he is now 66 years of age, and by occupation a Carpenter

That he has no pecuniary interest whatever in the result of the
application of the said William A. Peak who joins with him for Chero-
kee citizenship.

Richard T. Peak

Subscribed and sworn to before me this the 4th day of September, 1896.
Pearl Eddleman, Notary Public.

United States of America
Indian Office
Northern District -
Cherokee Nation,
Tahlequah District.

Personally appeared before me, W. O. G. Houdy,
Notary Public John R. Gourd, who being
qualified states that he is now 82 years of age, and well acquaint-
ed with the following named parties: besides others of the Peak fa-
ily, I was acquainted with Absalom Peak, who was the brother of James
Peak, which James Peak was the father of ~~XXXXXXXX~~ Richard T. Peak, who
is an applicant for Cherokee citizenship. That he knew said parties
back in the old country, and that back there James Peak was Captain
of the Light Horse. That when the Indians emigrated west, James Peak
and others of the Peak family came west at the same time affiant did;
but Absalom Peak went to the Northwest to the State of Illinois; that
he knows that said James Peak and Absalom Peak, and their brothers
and sister s were Cherokees by blood, and always so recognized in the
old country; that he was acquainted with ~~xxxxxx~~ the grand father of
William A. and Richard T. Peak, who was the father of Absalom and
James Peak, but affiant has forgotten his given name; that said grand
father was a Cherokee Indian, and either a full blood or very near it.

attest
S. I. Bayles

John R. Gourd
Notary

Subscribed and sworn to before me on this 7 day of September, 1896.

My leave 26 Jan. 16 - 1897

W. O. G. Houdy
Notary Public
Northern Dist - O. T.

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed
the Great Seal of said Cherokee Nation, at Tablequah, this, the
25th day of Sept. 1896.

John L. Adair
Executive Secretary.

187

William A. Ark.

Office Commission on Citizenship,

Shelburne, C. H. April 26, '87

| Applicant | Age | Sex | Post Office | Attr. |
|-----------------|-----|------|-----------------|---------------------|
| William A. Ark. | 27 | Male | Shelburne, Ark. | |
| Charles A. Ark. | 27 | Male | | <i>W. H. Taylor</i> |
| James A. Ark. | 27 | Male | Applicants for | |
| | | | Shelburne | |
| | | | Citizenship | |
| James A. Ark. | 27 | Male | | |
| James A. Ark. | 27 | Male | His Wife | |
| James A. Ark. | 27 | Male | Ancestor | |
| James A. Ark. | 27 | Male | Absol. P. Ark. | |

Office Commission on Citizenship,

Shelburne Station, Ind. Ter.,

Shelburne, June, 12th, 1889.

William A. Ark. claims that he is descended from one
James A. Ark. whose relatives will be found on the rolls of Char-
ter of the year 1835. The evidence shows that
James A. Ark. was a white man and not an Indian by blood or intermarriage
and his name does not appear on the census rolls of 1855. The Com-

missioner of the year 1880 and 1885 and 1890 and not of the
year 1855. He is not a citizen of the State of Indiana.

J. H. Carter, Com.

W. H. Taylor, Commissioner.

Shelburne, Ark.

Shelburne, Ark.

Nation's No. 3042

Commission's No.

In re Application of

James A. Peck

Denumer and Answer.

FILED SEPT 14 1936. ☆

U. S. L. KENNON

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
John A. Peak

Nation's No. *3042*
Commission's No. _____

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurres but insisting upon the same for answer to said application, says that

John A. Peak through himself or his petitioners claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation or Indian Territory, as citizens thereof.

Respondent, for a further and complete answer to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *W. H. Mayes & B. A. Boudinot* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 1896.

NOTARY PUBLIC.

your petitioner Richard S. Pease
for & on behalf of himself and
his children to wit:-

James R. Pease age 39 years

Clay S. Pease " 35 "

Anna L. Pease (nee Stevenson)

age 30 years

Harvey B. Pease age 26 "

Johnnie B. Pease age 20 "

Respectfully petitions your
honorable body for admission
to Cherokee Citizenship and enrollment
as such in the Cherokee Nation

Your petitioner states that he
is the son of Judea Pease who
was the wife of James Pease and
the claimant's father said
claimant was born in lawful
wedlock. The said Judea Pease
was the daughter of Joseph Stevenson
Richard Stevenson was her brother

that the said Judea Pease and James
Pease and Richard Stevenson were all
Cherokee Indians by blood and
members of the Cherokee tribe of
Indians. The said James
Pease is the uncle of Watt Christie
a Cherokee Indian by blood
and a member of said tribe
whose name appears on the census
roll of said nation. The said
James Pease, Russell Pease, Stephen

Pear, Matt Pear, Ned Pear and
Sally Pear all immigrated
from the state of Georgia to the
Cherokee Nation Ind. Ter. in about
the year 1878 and are all ^{belong} Cherokee by

The said James Pear. The father
of your petitioner and various
other persons named Pear are
enrolled upon the immigrant
roll for the saline district of said
Nation on page 288.

Your petitioner further states that
he duly applied to the authorities
of the Cherokee Nation for admission
to citizenship therein prior to the
year 1886 and that he has
resided in the Cherokee nation
for the last 15 years and that
he came to said nation in good
faith believing that he was a Cherokee
Indian by blood and that his
rights as a Cherokee citizen to which
he believed himself and family
entitled have thus far been
denied him by said Nation.
He states that he and his said
family are Cherokee by blood
and entitled to all the rights
and privileges of citizens of
said Nation.

Your petitioner further states
that his said son James R. Pear.

1/2 May 1890

has five children together and
born in lawful wedlock viz:
Robert L. Peab age 13 yrs
George " " 11 "
Dora " " 7 "
Jessie B. " " 3 "
Vera " " 16 months.

That his said son Clay
C. Peab has three children born
in lawful wedlock viz:-
Henry C. Peab age 6 yrs
Gracie " " 4 "
Jessie J. " " 7 "

That his said daughter
Anna L. Peab has eight children
born in lawful wedlock viz:-
Lena B. Pleunson age 14 yrs
Harry B. ~~Peab~~ " 11 "
Bessie L. " " 10 "
Addie O. " " 8 "
Lillian E. " " 6 "
Ossie B. " " 4 "
Gussie " ~~Peab~~ 7 "
one boy infant ~~(Peab)~~ 6 weeks

That his said son
Harvey Peab has two children
born in lawful wedlock viz:-
John W. Peab age 3 yrs
Lee " " 3 months

All of whom said Grand
children of your petitioner are
Shootee Indians by blood and

are the lawful descendants and
relations by consanguinity
of the Ancestors herein before
mentioned.

Wherefore the premises
duly considered your petitioner
prays judgment of admission
to Cherokee Citizenship and for
other proper relief.

Richard T. Deak. by
Marcellus Deak & Lewis
his Attorney &c

United States of America
Indian Territory }
Northern District }

Richard T. Deak being
duly sworn states that the
facts set forth in the foregoing
application are true as he verily
believes.

L. A. Deak
Notary Public

Affidavit of
Joseph Henson

United States of America } ss.
Indian Territory
Northern Judicial District
In the matter of the application
for Cherokee Citizenship of
Richard L Peak applicant &
Claimant.

I Joseph Henson being first
duly sworn state that I am
76 years of age, am a
Cherokee Indian by blood
& have been born & raised with
among the Cherokee Indians,
I lived in Frog Town in the
State of Georgia for many
years. I knew Jada Peak
during the whole of my
early life, was principally raised
in the same neighborhood
with her. & came to the present
Cherokee Nation with her
under the Treaty of 1838 - the
said Jada Peak afterwards
returned to the State of
Georgia where she remained
until her death. She was
always regarded & reputed to
be a Cherokee Indian in her
own family & in the community
in which she lived, by her
neighbors. She is the mother of
the said Claimant R. L. Peak.

The said Juda Peak is my
Aunt. She was my father's sister
+ my father Richard Benson
was an Indian by blood +
a member of the Cherokee
Tribe. I also knew James Peak
the father of the Claimant
R. J. Peak + the said James Peak
was a Cherokee Indian by
blood + was so reputed generally
in his own family as well as
by the people generally in
the community in which he
lived in the State of Georgia;
he lived in Hogtown in the
State aforesaid, he also migrated
to the present Cherokee Nation
west of the Mississippi River under
the Treaty of 1828. Both James
+ Juda Peak had all the appear-
ance of being Indian, they were
dark complected, dark hair +
eyes. I am positive that the
said Claimant ^{is} was always
reputed + known to be the son
of said James Peak + was born
in lawful wedlock + said
Claimant is the fruit of the
lawful marriage of the said
James Peak + the said Juda whose
maiden name was Benson.

Subscribed & sworn to before
me this the day of July
1896 & I certify that the said
Joseph Benson is well known
to me & is of good Character
& entitled to credit on oath -
Attest to Mark + Joseph Benson
MaPinda Vance ^{Mark} Alfred M. Callaway
Notary Public

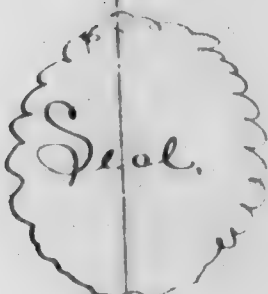
Further per J. J.

United States of America
Indian Territory
Northern District } S.S.

In the case of Richard Peak Claimant
for Citizenship in the Cherokee Nation Ind Terr,
as a Cherokee Indian by blood before the
Cherokee Indian authorities at Tahlequah
Cherokee Nation Indian Territory:

Personally came this day before me M.D.
Thornely a Notary Public within and for
the State and District afore named duly
authorized to administer oaths Watt
Christie to me personally well known
to be reputable and entitled to credit
and who being sworn by me duly sworn
according to Law Deposes and says:
My name is Watt Christie my age is
88 years my Post Office address is
Tahlequah I. T. I am, a farmer by
occupation. I am a Citizen of the Cherokee
Nation by blood. Affiant declares in
relation to the above named case as follows: "With
I was acquainted with James Peak
he is my Uncle He was a Cherokee
by blood. The applicant Richard
Peak is a son of James Peak
Signed Watt^{his} Christie
sworn
Sworn and Subscribed to before me

this the 5th day of December 1895



M. O. Thornley
Notary Public
Northern Dist. I. T.
My Com. Ex. Jan'y 16th 1899.

I hereby certify that the foregoing
is a true copy of the original
Commission. Joel L. Baugh
Expires Oct 27th 1897. Notary Public

Affidavit of
J. R. Gourd in
relation to Paul

6-

Cherokee nation

Tableywork District

Persons appeared before
me Allen Ross Clerk of the District Court
of Tableywork District & W. John R. Good
who being qualified States that he is now
Sixty ^{a fine} years of age, and well acquainted
with the following named persons, Russell Pease,
Stephen Pease, John Pease, Ned Pease, Ned
Pease and Zaline Pease, and knows them all to
be Cherokee by Blood. That about half blood
talked some English, but spoke mostly in
Cherokee language. And we all came to
this country together about 1828: During the time
of General Emigration. I am personally acquainted
with the whole family and know them to be of
Cherokee by Blood. Russell Pease, his father
was blacksmith in the old nation for the
Cherokee People. Sworn to before me ^{John R. Good} this 12th day

of October 1889

John R. Good
mark

Allen Ross, Clerk

T. D. C. 46

United States of America } 33.
Indian Territory
Northern District

In the case of Richard Pearl Plaintiff
for Citizenship in the Cherokee Nation
Ind. Terr as a Cherokee Indian by blood
before the Cherokee Indian authorities at
Pahleguah Cherokee Nation Indian Territory.
Personally appeared before me this day
Jarl L. Bayne a Notary Public within
and for the State & District afore named
duly authorized to administer oaths
and Jarl M. Bayne a well known to be
reputable and entitled to credit, and who after
being duly sworn according to Law first
by me, depose and say, My name is
Jarl M. Bayne & my age is 86 years
my P.O. address is Choteau Ind. Terr. I am
a Lawyer and a Merchant and have been
married all my life, I am a Citizen of
the Cherokee Nation by adoption having married
among the Cherokee 65 years ago and have
lived among them ever since.

And affiant declares in relation to the
above named case as follows "Textit"
I have been personally acquainted with the
Pearl family for about 50 years and I have
never known them as anything else only

Cherokee Indian by blood I know Mr
Richard Dean the Commissioner personally
and I never have known him to be
deceived to be a Cherokee Indian by
any Indian in the Cherokee Nation and
his rights for himself and family are very
sacred to him.

Signed Joel M. Bryan Jr
Sworn to before me on this the 2nd day
of June 1896

Commissioner Joel L. Bunch
Expire Oct 27/97 Notary Public

I Joel M. Bryan Jr do solemnly swear
that I am personally acquainted with
Watt Christie and have known him for about
40 years and have always known him
to be an upright, honest and truthful
man Signed Joel M. Bryan Jr

I hereby certify that the foregoing two
pages are a true copy of the
original. Signed Joel L. Bunch
Notary Public.

Saline District,

Page 288 of Emigrant roll:

James Peak:

Nelly Peak:

David Peak:

Lydia Peak:

Tarsin Peak:

Sallie Peak:

Nedsin Peak:

Nor-goo-tah Peak:

Betsy Team Peak:

.....

United States of America
Indian Territory
Northern District

55

In the case of Richard Peas Plaintiff
for Citizenship in the Cherokee Nation
vs. a Cherokee Indian by Name, Defendant
The Cherokee Indian authorities of the
Cherokee Nation Indian Territory.

Defendant appeared this day to the Court
and to the Court a Notary Public in and
for the State & District who was
deputy authorized to administer oaths
and Carl M. Brown is sworn to be
to be reputable and entitled to be
a witness after being sworn to be
true according to last demand
and I found it to be true
and he is 36 years of age
is Cherokee Indian, I am a Farmer
and Merchants and have been
for I am a citizen of the Cherokee Nation
by adoption having married a Cherokee
Cherokee 65 years ago and have been
marrying them ever since.

And affiant declares in relation to the
above named case as follows:
I have been personally acquainted
with the Peas family for about 10

and I have been thinking as much
of late only the one I believe to be
I have the right in the Church
I have a I have the right
to be a member of the Church
I believe the only one in the
Church who is not a member of the
Church and I am sure very soon to be

I have been thinking of the 2nd
day of May 1846

My dear friend and brother
Exalted Master of the Grand Lodge

I am the student
of the M.B. and I am sure
that I am personally acquainted
with the Master and have known
him about 10 years and I am
sure to be an active member
of the Grand Lodge of the State

Joseph Stearns

Son
Richard Stearns

James Peak

Daughter
Judea Stearns

Richard P. Peak

Wife of James Peak

Sons of Peak R.P.

James R.

Clayton

Harvey

Johnson

Grand Son
R. Stearns

Wife of James R.
Judea Stearns

Wife of Clayton
Judea Stearns

Wife of Harvey
Judea Stearns

Wife of Johnson
Judea Stearns

Wife of James R.
Judea Stearns

Wife of Clayton
Judea Stearns

Wife of Harvey
Judea Stearns

Wife of Johnson
Judea Stearns

55

ity at Tahlequah, Cherokee Nation, Indian Territory:
Personally came this day before me M. O'Connell, Notary
Public within and for the State of Arkansas aforesaid duly authorized
to administer oaths. John Chusea to me personally

to administer oaths. Ort. Chasler to me personally
well known to be reputable and entitled to credit, and who being by me first duly sworn according to law,
deposes and says: My name is Ort. Chasler
my age is 80 years; my postoffice address is Chesapeake St.
_____; I am a farmer by occupation
I am a citizen of the Shenandoah Nation by Bond

And affiant declares in relation to the above-named case as follows, to-wit:

I was acquainted with your Prox
he is my Uncle. He was a Johnson
by blood. The applicant: Richard P. Prox
is a son of James Prox.
H. E. Christi

mit ^{heil} Christi
Lohn

Subscribed to and sworn by me this
the 8th day of December 1898-

M. G. Homeluz
Notary Public

Wentman Hotel

My con. 2, Jan. 16, '99.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER OF INDIAN AFFAIRS,

WASHINGTON, D. C.

3/18/87

ARM

I,
Commissioner of Indian
Affairs, do hereby certify that the foregoing
is true and
literal

Commissioner of Indian
Affairs, do hereby certify that the foregoing
is true and
literal

as the same

in this office.

J. D. C. Atkins

Commissioner.

Department of the Interior,

Washington, D. C.

3/18/87

I, *John D. C. Atkins*, Secretary for the
Department of the Interior of the United States of America, do hereby
certify that the foregoing certificate, is now, and was at the time of signing
of Indian Affairs, and
and credit are due to his official acts as such.

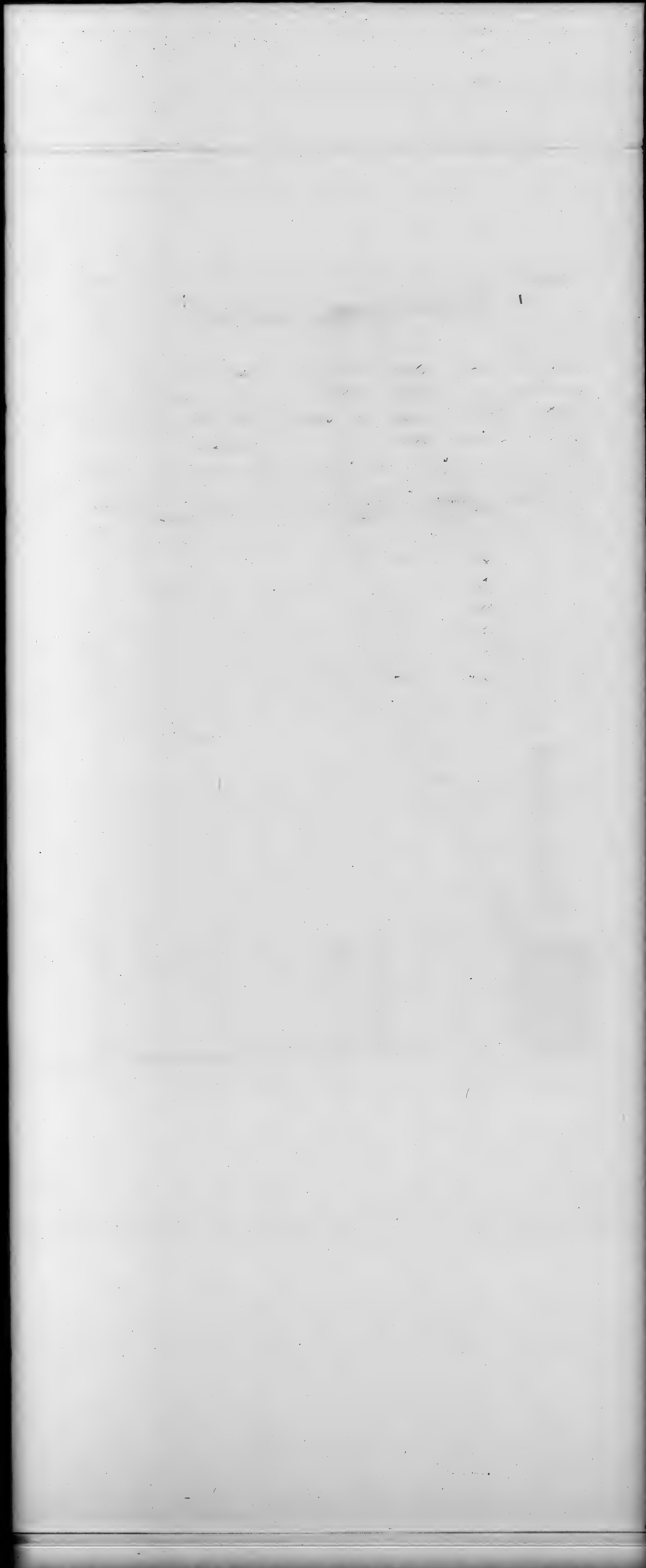
In testimony whereof, I have hereunto set my hand and have caused
the seal of said Department to be affixed on the day
and year above written.

H. L. Mulford

Acting Secretary.

46

to the table
a
Cousins



Petition for
Citizenship in the
Cherokee Nation
Richard J. Peak & others
Petitioners
Evidence

Application
of
James Jackson
and
Juda Peak
for
Cherokee
Citizenship

United States of America
Northern District
Indian Territory.

This day personally appeared
before me the undersigned Lewis S.
Harris a Notary public in
and for the county of ~~McMurtre~~ ^{McMurtre} ~~and State of~~ ^{and State of} William Matoy
well known to me as a credible witness
and who being first duly sworn states
that he is a member of the Cherokee
Tribe of Indians and resides in
Delaware District of said Nation,
that his Post Office address is Southwest
City Mo., that ~~he~~ ^{he} is about ~~eighty~~ ^{has no record} ~~eighty~~ ^{eighty} years
of age, is a Cherokee Indian by
blood, that he knew James Peak Sr.
in the State of Old Cherokee Nation,
He was captain of a Light Horse Company there.
That said Peak was a Cherokee Indian
by blood and the father of Richard T.
Peak and Russel Peak, said
Richard T. Peak resides at Chouteau
A.T., that Russel Peak is dead but
has three children living, James,
Jackson, and Juda Peak, the said
James and Jackson reside in
Delaware District aforesaid and

Juda resides in Going Snake District
in said Nation and all pass for
Cherokees by blood.

Witness to mark.

William D. Matoy
mark.

Mrs Minnie Adams

Subscribed and sworn to before me
this 15th day of August 1896.

Lewis L. Adams

Notary Public.

My com. Tex. Oct. 17th 1899.

Indian Territory
Northern District

Personally appeared before the undersigned Topley Montau who after being duly sworn deposes and says my age is ~~40~~ years. Post office address Vian Ind. Ter. I am personally acquainted with Richard J. Peak and have known him from ~~his~~ ^{my} childhood and know his father family. They were always considered and regarded as Indians by blood in the state of Alabama where I knew them. They were never allowed to vote in the state elections because they were considered and claimed to be Cherokee Indians by blood.

Richard J. Peak was a son of Judia Peak who was a descendant of the Thompson family and they as well as the Peak family were recognized Cherokee Indians by blood.

Witness my hand and seal this 27th day of July 1896.

Topley ^{his} Montau

Subscribed and sworn to before me this 27th day of July 1896.

J. D. Rogers
Notary Public
my com. ex. 9, 21, 89

Indian Territory
Northern District

appeared before me undersigned
 by Morton who after being duly
 sworn deposed and says my
 and I are personally acquainted
 with Richard T. Beck and have known
 him from my childhood and know
 his father's name. They were always
 considered and treated as
 Indians by blood in the state
 of Oklahoma. I knew them
 they were never allowed to vote
 in the state elections because
 they were considered and claimed
 to be Cherokee Indians by
 blood. Richard T. Beck was a
 son of Julia Beck who was
 a daughter of the Thompson
 family and they as well as the
 Beck family were recognized as
 Cherokee Indians by blood.
 attested at Cherokee. Harvey J. Morton

Subscribed and sworn to before me
 this 23rd day of Aug 1896.

J. H. [Signature]
 Notary Public
 My Comm. Ex. 424. 99

R. J. Pease & others

United States of America
Indian Territory
Northern Judicial District

This day personally appeared before me the undersigned Notary public in & for the Territory & District aforesaid James R Peak who being first duly sworn states on oath that he is thirty nine years of age & resides in Muskogee Indian Territory & by occupation a Carpenter -

He states that he is personally well acquainted with James R Peak Jr. ^{and also with} Andrew J. Peak, who are the sons of Russell Peak who were born in lawful wedlock. That said Russell Peak is the full brother of Affiant's father Richard J. Peak.

Affiant further states that it has always been commonly & continuously reputed in his father's family & grandfather's family & in the family of Russell Peak aforesaid that the said R J Peak & his children & the said Russell & his children & the grandfather James Peak & his children were all Cherokee

Indians, by blood & speech
has been the general reputation
of said Peaks in the Community
where they have lived

James R. Peak
Subscribed & sworn to before
me this 24th day of August 1896

L. A. Sears.
Notary Public.

In the matter of the claim of
Russell Peck to Cherokee Indian

Lieutenant Milton L. Hood.

Subscribed and sworn to before me
this 25th day of April 1891

On this the 25th
day of April 1891 personally ap-
peared before me the undersigned
Notary Public, in and for the
First Judicial Division of the
United States Court for said Territory
Milton L. Hood to me well known
and who I certify to be credible
and respectable, who being by me
properly sworn depose and say that
he is now seventy one years
of age at this day next that he was
born in the old Cherokee Nation
in the section in what was known
as the Kinssee Purchase, that
he is a Cherokee by blood descent
that he moved from the old Nation
and now resides five miles south
of Leflow in said Nation which
is his post Office address, that
he is well acquainted with one
Russell Peck, claimant as above

that is a Cherokee by blood
descent that he is the son of
Russell Peck a person of Cherokee
blood by descent who was
born and raised on the old Cherokee
Reservation and that he was
well acquainted with one John
Peck the other of the last named
Russell Peck who was also a
Cherokee by blood and that he
knew the said John Peck as a
Cherokee light horseman in the
War of 1812 and that he knew before the
removal of the Cherokee Nation
that the said Russell Sr. and
John Peck were sons of James
Peck who was reputed to be a
half breed Cherokee Indian
and died on the old Cherokee
Reservation.

all of which

subscribed and sworn to before me this 1st day of

W B Hubbard
Notary Public

For the Commission
No. 357
Robert
And Peak et al
Vs.
Charles W. Nadin
Application & Proofs.
10/6-76
Filed Sept. 8-1896
T.D. McKeen
Comm
Refuted

RETURN TO THE
JACOB, PEAR & OWEN,
ATTORNEYS AT LAW,
MUSKOGEE, IND. TER.

te of Missouri } ss.
J. McDonald,

Before me personally
appeared William Matoy, a citizen
of Cherokee Nation
who being by me
states That he is well acquainted
with Russell Peak and James & Jack
Peak his sons and he also knows
that James Peak and Peter Peak
that belonged to the light horse
cavalry of the old Cherokee Nation
in Carolina, were half blood
Indians, and the said
Peak and sons were
sons of said James & Peter

to mark William ^{his} Matoy
mark

James Matoy

Sworn to & Subscribed before me
this 19th day of March A.D. 1892
D. E. Havens
Notary Public

Meck 11th 1896.

No. 3564
R.T. Peak and

Cherokee Nation

Filed Sept. 8, 1896

A.S. McCannan
Clerk

Rejected

Rejected

POOR ORIGINAL -
BEST AVAILABLE COPY

Page 31, Docket A.

James Peak,

Office of the Commissioner of Indian Affairs,
Washington, D.C. July 1, 1887.

| Docket | No. | Names. | Age. | Sex. | Post Office. |
|--------|-----|---------------|------|--------|------------------------------------|
| | 1 | R. L. Peake | 36 | Male | Walla Walla, C.T. |
| (30) | 2 | James R. Peak | 31 | Male | |
| | 3 | Eli C. Peak | 28 | Male | |
| | 4 | Arak Peak | 21 | Male | Applicant for Cherokee citizenship |
| | 5 | Harry Peak | 19 | Male | |
| | 6 | John Peak | 10 | Female | |

Rolls 1848 to 1887

N. E.

Ancestor

Cherokee Nation

James Peak

Filed Feb. 8, 1887.

Now this is the 6th day of June 1887, comes before me for final hearing, and having made application pursuant to the provisions of an Act of the National Council approved December 31, 1885, for the evidence being duly considered and examined, and after an impartial investigation of all testimony submitted and from the evidence before the applicants witness it is clearly proven that the Ancestor, James Peak and his descendants are not Cherokees by blood. Therefore the Commission unanimously agree and determine that the applicants R. L. Peak, James R. Peak, Eli C. Peak, Arak Peak, Harry Peak and John Peak are not Cherokees by blood and are therefore not entitled to any rights and privileges of Cherokee citizens by blood.

Henry Eiffert,
Asst. Clerk Com. of Citizenship.

J. E. Adams, Chairman.
John B. Carter, Chairman.
J. E. Lipe, Chairman.

H. T. Peak

v.s.

Cherokee Nation

Applicant for Cherokee Citizenship.

Applicant having announced himself ready for trial, the Commissioner proceeded to investigate the case.

State out Joseph Benson after being duly sworn states as follows:
of Joseph I have known the applicant about 35 years, his father was
Henson, with Russell Peak. He was a brother of Ned, Nat and James Peak.
ness for they were always said to be Cherokees. I do not know if of
Applicant. my own knowledge. I first knew them in Cherokee Co., N.C., in
the year 1825, and afterwards in Ga., in the year 1832, when they
started to this country. Applicant was about three or four
years old when he left N.C. He was about seven or eight years
old when I again saw him in Mo. I recognized at that time
as being the same person as in N.C. I saw him again 12 or 15
years later in Ga., after he had returned from Mo. I never
saw him again since 1848 until I saw him here. I was born in
the year 1822. I am a Cherokee by blood.

Interrogation.

I was raised in Lenoir Co. Ga. My father's name was William
Henson, but generally called Dick Henson. He was a white man and lived
June 4, '67. H. T. is 1848. The applicant is my cousin. Applicant's
See Tocket father married my father's sister, a white woman. I think
A. 30 P. 30 Russell Peak was the eldest of the brothers Nathaniel, Ned and
for Decis- ^{this} James Peak. I left the country and went back to N.C. and
sion of then in the years 1841 & 2. My father died in N. C., in the
Commissioner year 1865. I do not know how the Peak family derived their
Cherokee blood. Nathaniel Peak married a Cherokee woman. So
far as my knowledge extends Nathaniel Peak was the only one
that married a Cherokee. I came to this country the last time
about 15 years ago. The Peak brothers above named were all
full brothers in my information. Nathaniel Peak died pre-
vious to the war. I do not recollect how many children Rus-
sell Peak had when I saw him in Mo. I do not know whether

Russell Peak ever lived in the Nation or not. I am satisfied that the applicant is the son of Russell Peak that died in No. I am 67 years old. I live in Coe-wee skoo-wee District.

Applicant was married the last time I came to this country. I do not know how many children he had. I have since become acquainted with James, Hiram, Clay, Ira & Hittie whom the applicant claims to be his children.

June 1, 1897. Attest. Henry Duffer, Clerk Com.

Examination. Elizabeth Davis after being duly sworn states as follows: I was acquainted with Russell, James, John and Ned Peak. They were full blood brothers and claimed to be Cherokees. I was acquainted with Richard Peak. Russell Peak was his father. This applicant. Ned Peak spoke Cherokee. I knew them in Ga., Tenn., & N.C. I was raised with them. I am a Cherokee.

Examination. I am now 77 years old. I first became acquainted with the Peaks in Blairsville, Ga. I think Nathaniel was the eldest of the brothers. His wife was a Cherokee named Christy. I do not know her first name. Russell Peak's wife was his father's sister. Russell Peak had 7 or 8 children. The oldest son was named Josiah, the next a daughter named Rebecca, then James and Polly. I was acquainted with Ned Peak in N.C. before and after the treaty of 1835. I afterwards knew him in Monroe Co., Tenn. All the brothers named claimed Cherokee. I came to this country before the war. Russell Peak came to Ark. about the year 1832, and died in No. His family went back to N.C., about the time the migrant was getting ready to move to this country. I was about 10 or 12 years old when Russell Peak died in No. Applicant was about 5 or 6 years old, when his father died. I think that applicant is the same individual that I saw in No. I do not know whether the Peaks were living in the Nation or whether they drew land and money at the time of the old Settlers payment. June 1, 1897. Attest. Henry Duffer, Clerk Com.

Affidavit of I. C. [unclear] [unclear] "A" Document.

Affidavit of [unclear] "A" [unclear] and filed in the case
of [unclear] Bank.

June 22, 1931.

Attest. Henry Riffert,

Clerk Com.

EXECUTIVE DEPARTMENT OF THE CHEROKEE NATION.

I, John E. Adams, Executive Secretary of the Cherokee Nation,

do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

I witness whereof I have hereunto set my hand and affixed the great seal of said Cherokee Nation at Tahlequah, this the 1 day of June, 1890.

Executive Secretary.

Nation's No. 383

Commission's No. _____

In re Application of

R. J. Peak
Forsters

• Demurrer and Answer.

FILED SEPT. 9 1896. ☆

• A. S. McKENNON •

• COM 'R' •

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of

A. S. May et al.

Nation's No. *383*

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is* entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that

Sam. Peak through whom the petitioner claims to derive *this* right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, *a citizen of that*

Respondent for a further and complete defense to the aforesaid application says: That heretofore said applicant made application before a legally constituted Court or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; that the said case was tried upon its merits; that upon a full and final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *W. L. Chubb, Hastings Henderson* Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

5 day of *Sept*

1896.

W. L. Ball

NOTARY PUBLIC.

End

2257

No. _____

PETITION OF

Lee H. H. H. H.

for and on behalf of

and heirs

Attorney for Petitioner.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CABANISS and ALDAXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, *Luther R. Turner* for and on behalf of *myself* and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the

in support of said claim, and respectfully await the time when —application shall be heard and tried. Respectfully Submitted,

Enrollment of family, with relationship attached, as follows:

| NAMES. | AGE. | RELATIONSHIP |
|-------------------------|-----------|---|
| <i>Luther R. Turner</i> | <i>27</i> | <i>See the R. Turner</i> |
| <i>John L. Turner</i> | <i>28</i> | <i>of Parkersburg and a son of William</i> |
| | | <i>Turner is married and a grand son of</i> |
| | | <i>Littleton W. Turner of Elk Horn</i> |
| | | <i>and a great grand son of</i> |
| | | <i>of Littleton W. Turner</i> |
| | | <i>The Turner line who was a Cherokee Indian by blood</i> |

In witness of which I hereunto set my hand on this *7* day of *Sept* month *1900* *Luther R. Turner*

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner *Luther K. Turner*

would state and show from the proof submitted to the Commission that he is a Cherokee by decent and by blood having been born in *Atchison* County, State of *Missouri* on *2* day of *Sept* 1869. My fathers name was *William J. Turner*

My mothers name was *Lucy J. Turner*

That I now reside in *Atchison County Missouri*

and have resided there for *27* years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing he be adjudged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

Signature *Luther K. Turner*
William J. Turner agent



INDIAN TERRITORY,

Judicial Division

SS

NOW on this *7* day of *September* 1896
personally appeared before me *J. C. B. Lindsey*
a Notary Public in and for said Territory

who being
duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this *7* day of *September* 1896.

J. C. B. Lindsey

Notary Public.

AFFIDAVIT.

State of Missouri
County of Atchison } ss.

BE IT REMEMBERED, That on this 13 day of August 1896

Personally appeared before me, William T. Turner who is a reliable and creditable citizen of the County of Atchison State of Missouri and after being duly sworn according to law, depose and says: That he is a resident of the County of Atchison State of Missouri; that his age is 58 years; occupation that of Farmer and that Postoffice is Tarkio Mo; that he is personally and well acquainted with Luther R. Turner who is a son of William T. Turner Tarkio Mo and John R. Turner and Grand son of Littleton W. Turner of Elk Horn Mo and Great Grand son of John Turner of Southern Ky at or near Tennessee line

Affiant makes this his sworn statement from his own personal knowledge and acquaintance with the family.

Subscribed and sworn to before me, a Notary Public this

My Commission expires 14 day of August 1896

John F. Gerlach
Notary Public

No 2059 3349

Luther A. Turner
vs
Cherokee Nation

FILED SEPT. 8. 1896. ☆
A. S. McKENNON
COM 'R'

Jarkio M.

Dep. dia

Nation's No. 3510.

Commission's No.

In re Application of

Luther K. Turner, et al.

Demurrer and Answer.

FILED SEPT. 28 1896. ☆

→A. S. McKee

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Luther J. Turner, et al.

Nation's No. 3510.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant s are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Turner,

through whom the petitioner s claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By HITCHINGS, HASTINGS & BOWDINOT.

Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

26

day of

Sept.

1896.

D. A. Ball

NOTARY PUBLIC.

End

3350

Sherman's No. 2491-
Commissioner's No. _____
In re Application of

Lucas E. Walker -

Demurrer and Answer.

Filed Feb 28 1906
-L. E. L. FORDON

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKenna, T. B. Cahoon, and
A. B. Montgomery, Commissioners.

In the matter of application of

Susan E. Nellis

Nation's No. 3491-

Commissioner's No. _____

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is an
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that Susan E. Nellis

through whom the petitioner claims to derive her right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Nashings, Hutchings & Randall Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this 22 day of Sept. 1896.

J. B. Bell
NOTARY PUBLIC

Nation's No. 3296
Commission's No.
In re Application of

Sarah Waller et al
Catherine Carr

Demurrer and Answer.

FILED SEP 28 1908 ☆
A. S. 1

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Columbia, and
A. B. Montgomery, Commissioners.

In the matter of application of

*Sarah Walker - et al -
Catherine E. Carr -*

Nation's No. *3296*

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *is*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Sarah E. Boyers*

through whom the petitioner *do* claim to derive *her* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof. *✓*

*further no testimony accompanies this
case*

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Nutkins, Hooking & Bantam* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *25* day of *Sept* 1896.

J. J. Ball

NOTARY PUBLIC

3125
Crime of
Herald Master

Cherokee

Filed Sept. 9-1896

A. M. W. Kennon
Clerk

By order

Renny

I was so much interested to
see you at the Public
in and - the Northern Division
where I met you and I
at Henry P. L. A. W's the
both days of September A.D. 1892
all former
A.T., B.H.

3225
Quinn of
Grand Marais

Cherries

Filed Sept. 9-1886,

A. M. W. Kenn
Carr

1840

Permy

United States America
Northern Judicial District
of the Grand Jur.

Personally appeared
before me J. W. H. a
Notary Public for said
District. J. M. O'Brien
aged 44 years.

I am personally
acquainted with Sarah
Walker aged 42 years.
Charity Finner aged 38
years. I know that
they are the daughters of
my sister Aaron Titworth
formerly Aaron O'Brien &
who is a daughter of
Sarah O'Brien who is
a sister of Moses Sprinkle
Titworth. J. M. O'Brien
mark

M. Rhodes
W. A. Black

Subscribed & sworn to
before me this 12 day
of Aug 1896

J. W. H.
Notary Public

United States Circuit
Northern Judicial
District of Cal. &c.

Personally appeared
before me Jess Watts
a Notary Public for said
District. Susan P. Gostin
who on oath states.

I am 67 years of age
My P.O. is Iron Springs
Ark. I am personally
acquainted with Sarah
Walker aged 42 years &
Charity Finner aged 38
years. I know that the
above named parties are
the daughters of Susan Titworth
formerly Susan Obyen.

The said Susan Obyen
being a daughter of Sarah
Obyen who is a sister
of Moses Sprinkel.

Susan P. Gostin
Subscribed & sworn to
before me this 12 day of
Aug. 1896.
Jess Watts
Notary Public

End

3351

AFFIDAVIT.

Wm G. Turner

vs.

CHEROKEE NATION.

Nation's No. *3508*

Personally appeared before me, the undersigned *E. W. Buffington, Thomas*
Rider and Jay Clark who being sworn states that: *they* know
the reputation of *John Ross, Arnold White, and Matt Christie*
for truth and veracity in the neighborhood where *they* reside; that it is *bad*; that *they* are
known as "Standing Witnesses" in Citizenship cases; and that *they* would not believe them under
oath.

E. W. Buffington
Thomas L. Rider
Jay Clark

Subscribed and sworn to before me this *21*
day of *Oct*, 1896.

Notary Public.

Nation's No. 3508.

Commission's No.

In re Application of

Wm. Turner, et al.

Demurrer and Answer.

FILED

A. S.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Wm. F. Turner, et al.

Nation's No 3508.
Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant s are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that John Turner,

through whom the petitioner s claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true to the best of his knowledge and belief.

Subscribed and sworn to before me this the 26 day of Sept. 1896.

NOTARY PUBLIC.

REGISTRY RECEIPT.

~~WAGNER~~, I. T.

Post Office at

Registered ~~Letter~~ Parcel

No. 144

Rec'd

Sept 8th 1890

of Mrs. J. Turner

Tachia Mo.

addressed to Aunt Marys Gov. Chisoff Cherokee Indians

Tahlequah I. T.

Harry J. Bettes acting P. M.

I Henry Eckler do solemnly swear
That on the 8th day of September 1896 I saw
at Package Registered at The Post office at
Wagoner and sent, addressed to Samuel May
Governor or chief of the Cherokee Nation
that Registering Receipt No 144 Received from
the Post office hereto attached is a Receipt
for said Package which contains a true
copy of the application William Turner
Lucy J Turner Dan Mc Turner Littleton W
Turner Burt Turner Gertrude J Turner.
John F Turner Hattie Turner Glenn Turner
Luther R Turner Ida Turner Coloma Monk
Pearl Record Myrtle Record Ella Warwick
Joseph W. Warwick and Warwick William -
Warwick Earl Warwick and Gata & Gaskins
and affidavits of others in support of the
same

Henry Eckler

Subscribed and sworn to
before me this 8th day of Sept 1896

H. W. Atk
N. P.

Brief.

Before the Honorable Commission of the United States of America, duly appointed and empowered to act, under and by virtue of the act of June 4th, 1896, to hear and determine all claims for citizenship in the Five Civilized Tribes, to wit, Cherokee, Creek, Choctaw, Chickasaw and Seminole Indians.

In the matter of the application of William T. Turner, together with that of his children, who are named as follows, Dan M. Turner, Littleton W. Turner, Burt T. Turner, Gertrude J. Turner; and his grand daughter, Zeta E. ^{Glaskin} ~~Turner~~, daughter of his daughter Fannie Glaskin, deceased, for citizenship in the Cherokee Nation, all of the said petitioners being Cherokee Indians by blood, William T. Turner is a son of Littleton W. Turner of Elkhorn, Mo., and a grand son of John Turner of Southern Ky ~~He~~ near the Penn line, who were Cherokee Indians by blood, as will be more fully shown by the proof herewith submitted, and marked exhibit "A". William T. Turner claims and declares that he is a Cherokee Indian by blood.

Wherefore, the said claimant, Wm T. Turner, prays the Honorable Commission that after a careful examination of the applications, and a fair and impartial investigation of the proof herewith submitted, you adjudge them entitled to citizenship in the Cherokee Nation, with all the rights, privileges and immunities appertaining to the same, that you place the name of each of the said claimants on the Cherokee roll of the Cherokee Nation.

Richard Garland Webb
Counsel for petitioners.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, *William T. Turner* for and on behalf of *himself and heirs* and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and Therewith submit the

in support of said claim, and respectfully await the time when *our* application shall be heard and tried. Respectfully Submitted,

Wm T Turner

Enrollment of family, with relationship attached, as follows:

| NAMES. | AGE. | RELATIONSHIP. |
|---------------------------|-----------|-----------------------------|
| <i>William T Turner</i> | <i>58</i> | <i>William T Turner</i> |
| <i>Lucy J Turner</i> | <i>54</i> | <i>of Tarkio Mo. who is</i> |
| <i>Children</i> | | <i>a son of Littleton W</i> |
| <i>Dan M Turner</i> | <i>22</i> | <i>Turner of Elk Horn</i> |
| <i>Littleton W Turner</i> | <i>18</i> | <i>Mo. and a Grand</i> |
| <i>Burt T Turner</i> | <i>16</i> | <i>son of John Turner</i> |
| <i>Certina J Turner</i> | | <i>of Southern Ky near</i> |
| <i>gita & Gleskin</i> | <i>8</i> | <i>the Tenn line</i> |
| | | <i>who was a Cherokee</i> |
| | | <i>Indian by blood</i> |

In witness of which I hereunto set my hand on this *5th* day *Sept* 1896

William T Turner

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner

William J. Turner

would state and show from the proof submitted to the Commission that he is a Cherokee by decent and by blood having been born in *Clay* County, State of *Missouri*

on *10th* day of *April* 1838 My fathers name was *Littleton*

J. Turner

My mothers name was *Maria Turner*

That I now reside in *Atchison County Missouri*

and have resided there for *43* years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And

he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing he be adjudged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

Signature

William J. Turner



State of *Indian Territory*
County of *Worthen Division*

SS

NOW on this *5th* day of *Sept* 1896
personally appeared before me *J. C. B. Lindsey*

a Notary Public for said county and state

W. J. Turner

who being

duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this *5th* day of *Sept* 1896.

J. C. B. Lindsey

Notary Public.

Apparent to
Money & Bank

in case of the
Summ. 1899

AFFIDAVIT.

Ex. A

Charles H. Hinton
Notary Public

SS.

BE IT REMEMBERED, That on this 24 day of August 1896

Personally appeared before me, Henry H. Hinton who is a reliable and
creditable citizen of Cherokee Nation, Indian Territory, and after
being by me duly sworn according to law, depose and says that his is a resident of Cherokee
District, Cherokee Nation, Indian Territory, that his age is 76 years, and his occupation
that of a laborer, that he was well and personally acquainted with John
Turner in the old Cherokee Nation, state of Georgia
and that the said John Turner was a Cherokee Indian by blood, about 20
years ago by blood. Affiant makes this, his sworn statement,
from his own personal knowledge and acquaintance with the aforesaid John Turner
family of Cherokee, and affiant further states that he is not
directly or indirectly interested in the prosecution of the heirs of said John Turner
deceased, for citizenship in the Cherokee Nation, Indian Territory.

Sworn and subscribed to before me

Henry H. Hinton
24th day of August
1896

[L.S.]

W. B. H. Hinton
Notary Public
Northwest Dist. & P.

My Comm. exp. Jan. 16-99

affidavit of
^{water}
Christie
in care of John
Turner & Co

AFFIDAVIT.

Ex B

Cherokee Nation
John Turner ss.
 BE IT REMEMBERED, That on this *24* day of *July* 189*6*
 Personally appeared before me *Walter Christie* who is a reliable and
 creditable citizen of *Adelphi* District, Cherokee Nation, Indian Territory, and after
 being by me duly sworn according to law, depose and says that *He* is a resident of *Adelphi*
 District, Cherokee Nation, Indian Territory, that *He* age is *83* years, and *He* occupation
 that of a *farmer*, that *He* was well and personally acquainted with *John*
Turner in the old Cherokee Nation, state of *Kentucky*
 and that the said *John Turner* was a Cherokee Indian by blood, about *one*
year or more by blood. Affiant makes this, *his* sworn statement,
 from *his* own personal knowledge and acquaintance with the aforesaid *John Turner*
 family of *Kentucky*, and affiant further states that *He* is not
 directly or indirectly interested in the prosecution of the heirs of said *John Turner*
 deceased, for citizenship in the Cherokee Nation, Indian Territory.

Sworn and subscribed to before me

(L.S.)

Walter Christie
Notary Public
Adelphi
July 24 1896

189555-

William T. Turner
as
Cherokee Nation

Rejoice

Jackie Mo

AFFIDAVIT.

State of Missouri
County of Clay

Be it Remembered, That on this 3 day of Sept 1896

Personally appeared before me, Littleton W. Turner who is a reliable and creditable citizen of the County of Clay State of Missouri and

after being duly sworn according to law, depose and say: That he is a resident of the County of Clay State of Missouri that he is 45 years, occupation that of

Farmer that postoffice is Franklin that he is personally and well acquaint-

ed with William F. Turner who is a Son of Littleton W. Turner of Elk Iron Mo and Grand Son of John Turner of Southern Ky and

Great Grand son of John Turner at or near

Affiant makes this his sworn statement from his own personal knowledge and acquaintance with the family

Subscribed and sworn to before me, a Notary Public

this 3 day of Sept 1896

William F. Turner

Notary Public

End



Nation's No. 2253

Commission's No.

In re Application of

Calvin T. Thomas

Demurrer and Answer.

FILED OCT 21 1895

A. S. MCKENNON

CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
Colvin Taylor Thomas

Nation's No. *2253*

Commission's No. _____

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

- 1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
no legal right, therefore, to hear and determine the same.
- 2nd. That the application does not state facts sufficient, if true, to show that the applicant _____
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Colvin Thomas* _____
_____ through whom the petitioner _____ claim to derive _____ right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutchins Hartup* *Aboudnot* _____ Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the *21* day of *Sept*, 18*96*.

D. J. Bill

NOTARY PUBLIC.

No 3346
^{Caution}
~~Eden~~ Taylor Thomas
Cherokee Nation

Filed Sept 8th 1896
H. L. McQuinn
comm

Rejected

Marlow
J. P.

Application on Enrollment

To Hon. J. R. Jones, Commissioner of the
Land of the Commission, the undersigned your petition
Calvin Taylor Thomas, for and on behalf of himself and his
wife, Sarah E. Thomas - and his wife notes this application to you
for the purpose of being placed on the revised roll of Cherokee
Indians, & as they are entitled to share in the distribution of
lands & allotment of land in the Cherokee Nation, by virtue
of their Cherokee blood, and I hereby submit the following -
My Mother was Temperance Reams, married to John Thomas.
My Grandfather - Reams was a Cherokee Indian, and my Grandfather
Thomas was a Cherokee Indian - Father & mother of Cherokee
blood both from my father & mother - My father Taylor Thomas
Enrollment of my family with
certificates as follows - my wife Sarah E. Thomas, Minnie Thomas age 4
17 yrs - John A. Thomas age 15 yrs - John C. Thomas, daughter 8 yrs -
Lillian M. Thomas, daughter - 5 yrs -

In witness whereof I have signed this Sept 7 1896
Calvin Taylor Thomas



*Known & subscribed here in this
Sept 1786*

Notary Public

227 Commission 4, 1899

COUNTY OF *San Diego*)

Affiant further states that he has known the said Coleman Taylor Thomas for the past 3 years and knows that he is and has been recognized and treated by his neighbors, acquaintance, and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Coleman Taylor Thomas indicate that the said Coleman Taylor Thomas is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Thomas Taylor Thomas, affiant states that by his every reason to believe that the said Coleman Taylor Thomas is of Cherokee Indian blood.

6. F. Thurman
+ O. Thurman

Reston

My Commission expires on the 1 day of April 1949

This day appeared, personally before me the undersigned
 Justice of the Peace in and for the County of ...
 J. R. Cunniff Postmaster at ...
 by one duly sworn on his oath and ...
 Calvin Taylor Thomas before me in his application ...
 in the within written ... and found the documents ...
 true & correct copies of the originals ...
 Commission of Circuit J. J. ... and ...
 forwarded by one ... of ...
 copies to the ... of ...
 at ... the Capital of said ...

Given under my hand and seal of office
 this 7th day of ...
 Notary Public }
 J. R. Cunniff }
 Postmaster }
 ... }

No 3346
Calvin
Chen Taylor Thomas
Cherokee Nation

Filed Sept 8th 1896
L. H. [unclear]
[unclear]

Respectfully

Marlow
J. D.

End

3353

Nation's No. 3096.

Commission's No.

In re Application of

Willard F. Boyett, et al.

Demurrer and Answer.

FILED SEPT 19 1896
A. S. LICKENON
CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. B. Montgomery, Commissioners.

In the matter of application of
John L. Adair, Franklin Boyett, et al.

Nation's No. 4096.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~s~~ are
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that ~~Indian Territory~~

through whom the petitioner ~~s~~ claim to derive their right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that ~~her~~ name
does not appear on any of the authenticated rolls of said Nation; that neither ~~he~~ ^{she} nor any of ~~her~~ ^{her} ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By ~~Hitchings Hastings & Bondurant~~ Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 25th day of Sept., 1896.

D. J. Ball
NOTARY PUBLIC.

Application for Citizenship.

.....
To the Hon. Henry L. Dawes, Chairman of the Commissioners of
Indian affairs, Vinita, Indian Territory:
The undersigned you petitioner, this day makes this my
application for Citizenship in the Cherokee Nation, Indian
Territory, in accordance with the Constitution and laws of
said nation and respectfully makes the following statement
of the grounds of this her Application to-wit:
That she is a descendant of Mrs. Leana Thorn, who was a full
blooded Cherokee Indian and resided at Cedar Park post office
Wake County North Carolina. Willis Thorn was the grandson
of the full blooded Cherokee Indian Leana Thorn,
and a son of Turner Thorn, which makes your petitioner
Miss Anna E. Thorn of Tyler, Texas a great granddaughter of
the said Leana Thorn which is equivalent to one eight of the
blood of the full blooded Cherokee Indian Leana Thorn of
Cedar Park post office Wake County North Carolina.
As shown by the testimony of Mrs. Mary Ann Green of Cuba
Alabama, Mrs. Elizabeth Thorn of Tyler, Texas and of which
are filed in the case of W. F. Boyett at Vinita, and also at
Tahlequah Indian Territory with the proper authorities and also
the testimony of the petitioner which is enclosed herewith.
The undersigned hereby presents the above facts as the lawful
grounds for this his Application for Cherokee Citizenship
blood, and respectfully waits the time when her Application
shall be truly heard and tried. Respectfully submitted.
Aged twenty years, post office Lendale Texas.

Testimony of Miss Emma Thorn.

Lindale Texas. Sept. 2nd, 1896

My name is Emma Thorn.

My mother's name was *Lucy Thorn*

My father's name was *John Thorn*

My grandmother's name was *Catherine Thorn*

My grandfather's name was *Isaac Thorn*

I hereby testify to the above to be a true statement.

Signed. *Emma Thorn*

Sworn to and Subscribed before me this
the 5th day of September A.D. 1896

O. P. King

Justice of the Peace, Official Notary Public
in and for Smith County Texas

Application for Citizenship.
by the Hon. Henry L. Dawes, Chairman of the Commissioners
of Indian Affairs, Vinita, Indian Territory.

The undersigned your petitioner, this day makes this his
Application for Citizenship in the Cherokee Nation Indian
Territory, in accordance with the Constitution and laws of
said Nation and respectfully makes the following statement
of the grounds of this his application to-wit:

That he is a descendant of Mrs. Leana Thorn, who was a full
blooded Cherokee Indian and resided at Cedar Fork post
office Wake County North Carolina.

That he is the great grandson of said Leana Thorn on the side
of his father, viz: Leana Thorn was the Mother of Jesse B
Thorn and Jesse B. Thorn was the father of James Thorn and
James B. Thorn is my father. which gives me one eight blood on
the side of my father and also one eight on the side of
my mother which is derived as follows.

My mother's name was Bettie Jones before she married James
Antley who was the daughter of my grandmother Penny Thorn who
married my grandfather Joe Jones. My grandmother was the daughter
of Mrs. Leana Thorn the full blooded Cherokee Indian which
makes the said Leana Thorn my great-grandmother and gives me
two eights or one fourth Cherokee Indian blood derived from
the said Leana Thorn. My father James Thorn and my mother
Bettie Jones were own cousins when they married. In support
of which he respectfully submits the testimony in writing
of himself.

Mrs. Elizabeth Thorne of Tyler, Texas, and Mrs. Canary Ann Greer
of Cuba, Arkansas which are filed with the case of W.F. Boyett
of Tyler, Texas, at Vinita Ind. Ter. and also a copy of
same is filed with the Hon. Henry L. Dawes Chairman of the
Commissioners of Indian Affairs and also a copy with the
Hon. and Late Chief of the Cherokee Nation, Tahlequah, Ind.
Ter. The undersigned hereby presents the above facts as the
basis grounds for this his Application for Cherokee
Citizenship by blood and respectfully waits the time when
his Application shall be truly heard and tried.
respectfully submitted.

My age is forty-four years, My post office is Tyler Texas
In witness of which application - I hereunto set my hand
on this the seventh day of September, 1896.

signed.

affidavit of Jim Greer. of Tyler, Texas.

I have four children whose names and ages are as follows.

Lissie Greer of Tyler, Texas, aged thirty one.

Robert Greer of Tyler, Texas, aged twenty eight.

Carry Greer of Tyler, Texas, aged twenty one.

Louis Greer of Tyler, Texas, aged twenty.

I hereby testify as the above and foregoing as a true statement.

Jim Greer
Subscribed and sworn to before
me this 1st day of Jan. 1904.
J. H. Greer
J. H. Greer

A Real Blood Purifier Medicine.

ANALYSIS OF THE

REPORT OF THE

COMMISSIONER OF THE

LAND OFFICE

IN THE

STATE OF

MISSISSIPPI

FOR THE YEAR

ENDING

DECEMBER 31, 1907.

1

1

1

1

1

1

1

Testimony of Mrs Ella Stueb.....

Myrtle Springs, Texas; Aug 26th, 1896.

My maiden name was Ella Thom.....

My father,s name was Walter Thom.....

My mother,s name was Mary Jane Thom.....

My gran-mother,s name was Elizabeth Thom.....

My gran-father,s name was James Thom.....

My husband,s name is Henry Stueb.....

I hereby testify to the above and foregoing
to be a true and correct statment.

Signed. Ella Stueb.....

State of Texas & be fore me R.E. Highcox
County of Langford
Personally appeared Ella Stueb known to
me to be the person whose name is subscribed
to the foregoing instrument. After being duly
sworn, says the foregoing is true to the best of her
knowledge
Aug 29 1896
R.E. Highcox
by R.E. Highcox

Testimony of William Thorn.....

I hereby testify that I am a son of James, Thorn.
My Mothers name was Bettie Jones before she married.

Her Fathers name was Joe Jones.
My Grandmothers name on my Mothers side was Penny Thorn.
before she married my Grandfather Joe Jones.

I hereby testify that the above and foregoing is a true
statement.

W. H. Thorn
Sworn to and Subscribed before
me this 28th day Aug 1896
Jno A Lott
Clerk Co et Smith Co Texas

AIR.

WITNESSES:

"

THE COURT:

THE COURT:

...on this

J. J. Boyett

...with the said
...Texas and know him to be the

Geo. W. Lett
By J. H. Crosskey

Application for Citizenship.

To the Hon. Sam Mays Chief of the Cherokee Nation,
Cherokee, Indian Territory.

I, James Thorn, your petitioner, this day makes this his
application for citizenship under the Cherokee Nation Indian
territory, in accordance with the Constitution. He is a of
Indian Nation and respectfully makes the following statement
of the grounds of this application to wit:

That he is a descendant of Mrs. Leana Thorn, who was a full
blooded Cherokee Indian and resided at Cedar Fork post
office, Carter County, North Carolina.

That he is the great grand son of said Leana Thorn on the side
of his father, viz; Leana Thorn was the mother of James E.
Thorn and James Thorn was the father of James Thorn and
James Thorn is my father, which gives me one eighth blood
on the side of my father and so one eighth on the side of
my mother which is derived as follows.

My mother Leana was better known before she married James
Thorn was the daughter of my grandfather Perry Thorn who
married my grandfather Joe Jones my grandmother was the daughter
of Mr. Leana Thorn the full blooded Cherokee Indian which
makes the said Leana Thorn my great-grandmother and gives me
one eighth or one fourth Cherokee Indian blood derived from
the said Leana Thorn. My father James Thorn and my mother
better known were two cousins when they married. In support
of which he respectfully submits the testimony in writing
of himself, and also of Mrs. Elizabeth Thorn of Tyler, Texas

Application for Citizenship.

To the Hon. and Mayo, CHIEF of the Cherokee nation, Tahlequah
Indian Territory.

The undersigned you petitioner, this day makes this her
application for Citizenship in the Cherokee Nation, Indian
Territory, in accordance with the Constitution and laws of
said nation and respectfully makes the following statement
of the grounds of this her Application to-wit:
That she is a descendant of Mrs. Leana Thern, who was a full
blooded Cherokee Indian and resided at Cedar Fork post office
Wake County North Carolina. Willis Thern was the gran son
of the full blooded Cherokee Indian Leana Thern.
and a son of Farmer Thern. which makes your petitioner
Margaret E. Thern of Tyler, Texas a great granddaughter of
the said Leana Thern which is equivalent to one eight of the
blood of the full blooded Cherokee Indian Leana Thern of
Cedar Fork post office Wake County North Carolina.
As shown by the testimony of Mrs. Canary Ann Green of Cuba
Missouri, Mrs. Elizabeth Thern of Tyler, Texas and of which
are taken in the case of W.F. Boyett at Vinita, and also at
Tahlequah Indian Territory with the proper authorities and also
the testimony of the petitioner which is enclosed herewith.
The undersigned hereby presents the above facts as the lawful
grounds for this her Application for Cherokee Citizenship
and respectfully waits the time when her Application
shall be truly heard and tried. Respectfully submitted.
Margaret E. Thern, post office Lendale Texas.

No. 4039

Wm F Bayett
et al
r

Cherree Notion

Filed 9 Sept 1876
H M Jacobson
clerk

Refused

Tyler
Jr

6

End

3354

Nation's No. **2804**
Commission's No
In re Application of

Mary F. Thompson
et al

Demurrer and Answer.

FILED SEPT. 27 1896.

A. S. MCKENNON

COM 'R'

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Canine, and
A. B. Montgomery, Commissioners.

In the matter of application of
Mary L. Thompson et al

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs to the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that *Nancy Yates*

..... through whom the petitioner.....claim to derive.....right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hutlings, Harting & Brundage* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

19 day of *Sept.*

1894.

A. J. Ball

NOTARY PUBLIC

REGISTRY RECEIPT.

Post Office at

Harmon I.T.

Registered Letter No.

112

Rec'd

Sep 7, 1896

of

to Norway

Harmon I.T.

addressed to

Hon S H Mays

Bohayan I.T.

Autumn V. Mettner

B. J. Thompson

Sept 1

112

Maggie Vaughan

Mary J. Thompson and

Wesley Boyd

Elizabeth Yates Mary J. Thompson and I L. Vaughan

B. J. Thompson

7th

Sept

Alfred M. Callaway

Feb 18 - 1900

OFFICERS:
T. M. HUFFINGTON, Circuit Judge, Vinita.
WATT STARR, District Judge, Claremore.
JOE M. LAHAY, Clerk, Claremore.
J. C. WARD, Sheriff, Foyil.
JOHN BULLETT, Solicitor, Claremore.

OFFICE OF
DISTRICT CLERK,
COOWEECHOWEE DISTRICT, C. N.

TERMS OF COURT.
CIRCUIT COURT:
First Monday in June and Fourth
Monday in September.
DISTRICT COURT:
First Monday in January and July.

To the Honorable "Daves Commission".

Maggie Vaughan

In presenting the case of *Mary Thompson* it is my purpose to call your, First- to the latter part of Sec-2-Art-1 of the Constitution, of the Cherokee Nation- which reads as follows "Then ever any citizen shall re- move with his effects out of the limits of this Nation, and becomes a citizen of any other Government, all his rights and privileges, as a citizen of this Nation shall cease: Provided never the less, that the National Council, shall have the power to re-admit, by law, to all the rights to citizenship, and such person or persons, who may at any time, desire to return to the Nation, on Memorializing the National Council:- But by act of Congress of June 4th 1896-your Honorable body was empowered to hear and determine claims for citizenship and grant the same, upon such being the case this Applicant herewith presents ^{their} ~~her~~ case:- This applicant as set forth in ^{their} application, is a Cherokee Indian by blood- deriving the same from *Nancy Gatis (nee) Perry* whose name will be found on the Cherokee Roll of -the identity being established by the several Affidavits herewith filed: setting forth the fact, that the said *Mary Thompson* ^{are} ~~is~~ *Maggie Vaughan* Cherokee Indian by blood:-

If your Hon-body find these facts as alleged ~~they~~ ^{we} humbly ask that we be placed upon the roll as citizens of the Cherokee Nation. by Cherokee blood.

A. M. Callaway
Att'y for Applicant.

Applicant.

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:—

The undersigned, your petitioner, Mary F. Thompson and
Maggy Vaughn for and on behalf of them selves
and their Children

and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that they Cherokee Indian by blood, deriving the same from Nancy Berry ^{(nee) Yates} ~~who was the mother of Benjamin Yates who was the father of these applicants and~~ the said Nancy Berry whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 18 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files their proof in support of said claim, and respectfully awaits the time when their application shall be heard and tried.

Respectfully submitted, Mary F. Thompson
Maggy Vaughn

Enrollment of family, with relationship attached, as follows:

| Names. | Ages. | Relationship. |
|---------------------|-------|-----------------|
| Mary F. Thompson | 50 | Grand Daughter |
| Elmer E. Thompson | 27 | Great-grand son |
| Nettie F. Spencer | 23 | " " Daughter |
| Stella M. Patterson | 21 | " " " |
| Mollie E. Davis | 20 | " " " |
| Myrtle Black | 10 | " Great-grand " |
| Maggy Vaughn | | Grand Daughter |

IN WITNESS WHEREOF we hereunto set our hand this 7th day of September 1896. X Mary F. Thompson
Maggy Vaughn

United States of America,
Indian Territory,
Northern District.

Maggie Vaughn

Mary Thompson

of lawful age being duly sworn states that she knows
the facts set forth in the above and foregoing application and that the same are true
as she verily believes.

Mary Thompson
Maggie Vaughn

Subscribed and sworn to before me on this the *7*th day of *Sept* 1896.

Alfred M Callaway
Notary Public.

My commission expires

2--18--1900

Maggy Vaughan
my
Ind. Ter.
Claremore Ind. Ter.

Claremore
address

me

A M Callaway

Maggie Vaughan
7th Sept-

Alfred M Callaway
Notary Public

Alfred M Callaway
Maggy Vaughan

Indian Territory

Alfred M Callaway
Notary Public

Mary J Thompson

my 51
Indian Territory
Claremore Ind Ter

Claremore
address

Elmer E Thompson Nettie
J Spencer Stella M Patterson Mollie E Davis
(and Murtie Black grand daughter)
me

Mary J Thompson

Mollie Davis

7th Sept

Alfred M Callaway
Notary Public

Alfred M Callaway
Mary J Thompson

Indian Territory

Alfred M Callaway
Notary Public

Feb 18th 1900

POOR ORIGINAL -
BEST AVAILABLE COPY

5th Sept -

Elizabeth Yates

she

her

71

housewife

Claremore I.F.

she

she

her

she

Mary Thompson and Maggie Vaughan

1875

They

are Grand Daughters of Nancy Berry
(nee) Yates

Maggie Vaughan

Mary Thompson and

Nancy Berry (nee) Yates

are

attest to mark
E. Thompson

Elizabeth Yates

5

Sept -

Alfred McCallum

Feb 18 - 1900

5th Sept-

Wesley Boyd
he him

Farmer he. 55
Afton 2nd Dec he
he

Mary Thompson and Maggie Daughan
25 the
are Grand Daughters
of Nancy Yates nee Berry
I believe was a
Mary Thompson and Maggie Daughan
Nancy Yates (nee) Berry

Wesley Boyd
5 Sept-

Alfred M Callaway
Feb 18 - 1900

POOR ORIGINAL -
BEST AVAILABLE COPY

7th Sept

Mary Thompson

She

her

50

housewife

She

She

Claremore Ins. Co.

She

She

Maggie Vaughan

25

She

Grand Daughter of Nancy Berry

(nee) Yates

Maggie Vaughan

Nancy Yates (nee) Berry

Mary Thompson
7th Sept

Alfred W. Callaway

Feb 18-1900

POOR ORIGINAL -
BEST AVAILABLE COPY

No 3279

Mon T. Thompson
v.

Cherokee Nation

Filed 9 Sept. 1896
Am Decouray
CR

Receiv. D

Am Calloway & Co
Columbus, Ga

United States of America
Indian Territory } SS
Northern District -

On this the 7th day of Sept-1896 before me
a Notary Public for said District
personally appeared J R Vaughan
to me known to be a person of Credabil-
-ity who after being duly sworn
on his oath states my age is 38
years postoffice address Claremore I &
he further states he is well and personally
acquainted with Mary & Thompson
and Maggie Vaughan and has been
for more than 13 years and he
knows them to be sisters of the
whole blood

J R Vaughan
Subscribed and sworn to before me
this the 7th day of Sept-1896

Alfred M Callaway

Notary Public

My Com Ex Feb 18 - 1900

End

3355

RECEIVED BRIT. MUSEUM

Gentlemen:—The undersigned, your petitioner, this day makes this *his* application for enrollment as a member of the Cherokee Tribe of Indians, in accordance with an act of Congress approved June the tenth, 1896, and respectfully make the following statement of grounds of this *his* application to-wit:

That James Hurling is the Grand Son of one of the Chiefs to whom the undersigned fully believes was an Indian belonging to said Tribe. also a son of James Hurling and a nephew of John Ha

The undersigned hereby presents the above facts as the lawful grounds for this new application for Cherokee citizenship by blood, and respectfully awaits the time when this application shall be truly heard and tried.

Age 57. Post Office. Carbon Texas. family, with their relationship attached as follows:

[illegible]

Respectfully Submitted,

Signed

Subscribed and sworn to before me this **27**

27:

Attorney

REMIATA PRINT, MALDEN

Gentlemen—The undersigned, your petitioner, this day makes this ^{his} application for enrollment as a member of the Cherokee Nation of Indians, in accordance with an act of Congress approved June the tenth, 1896, and ~~submits~~ ^{submits} the following statement of grounds of this ^{his} application to-wit:

Truly yours,
 The undersigned fully believes was an Indian belonging
 to said Tribe

The undersigned hereby presents the above facts as the lawful grounds for this.....^{his} application for Theriot citizenship by him, and respectfully awaits the time when.....^{his} application shall be truly heard

2. Name of the family, with their relationship attached as follows:

| No. | NAME | Sex. | Age | Relationship. |
|-----|-------------------|--------|-----|---------------|
| | Walter J. Halling | male | 57 | Applicant |
| | May J. Halling | female | 48 | Wife |
| | Edw. J. Halling | Male | 24 | Walter's Son |

Respectfully Submitted,

Signed _____

Signed Frederic Jackson Walling
1890

Subscribed and sworn to before me this 25 day of

Attorney

1890
L. R. M. Elder

Notary Public
Hill Co Ind

File Co 24a

APPLICATION FOR ENROLLMENT

REGISTERED PRINT, WILSON.

To the Honorable Dawes Commission —

Gentlemen:—The undersigned, your petitioner, this day makes this application for enrollment as a member of the Cherokee Tribe of Indians in accordance with an act of Congress approved June the tenth, 1898, and respectfully make the following statement of grounds of said application to-wit:

That *A. L. Walling* is the *Grand Son of Jesse* of *Anna Elsieholm* whom the undersigned fully believes was an Indian belonging to said Tribe.

The undersigned hereby presents the above facts as the grounds for this application for Cherokee citizenship by blood, and respectfully requests that the same be truly heard and tried.

Age Past Office family, with their relationship attached as follows:

| No. | NAME | Relationship |
|-----|---------------------------|-----------------------|
| | <i>A. L. Walling</i> | <i>Grand Son</i> |
| | <i>Mary A. Walling</i> | <i>Grand Daughter</i> |
| | <i>Katie Bell Walling</i> | <i>Grand Daughter</i> |
| | <i>Thos. Child</i> | <i>Grand Son</i> |

Mary A. Walling

Respectfully Submitted, *A. L. Walling*
 Subscribed and sworn to before me this *26th* day of *August*, 1898.
I B. H. Cox Notary Public
Payson County, Ariz.

Walling and great Grand Son

U S A and Territory = Plot on me
Notariness = Miss Chapman
a Notary Public in and for
said List and Secretary on
this day personally appeared
John C Walling and Thomas J
Roberts who are credible witnesses
capable of Trust and Confidence
who after being duly sworn solemnly
and say that each of us are
personally and well acquainted with
Mr Ann Walling Isaac C Walling
Andrew Walling and Jesse J
Walling and know them to be
the identical persons they represent
themselves to be in their applications
for small lands on the part of the Cherokee
Nation that said Isaac C Walling
and Jesse J Walling are the
of Jesse Walling Dec and of said
Ann Walling that they are also the
grand sons Annie Walling's children
on their father's side and grand sons of
Isaac Chis holm the brother of said
Annie Walling on their mother's side
their father and mother being first cousins
as well as lawful heirs and heirs that
the said Annie Walling be the same

and some of the others were Cherokee
Indians by blood as was also their
sons and daughters and grandsons
these applicants: it has been so always
commonly understood among
those who knew them that these
applicants were Cherokee Indian by blood
John C Walling
T. C. Robert

Sworn to and subscribed before
me this ~~Sept 5th~~ ^{Sept 3rd} 1896
Wilson A Bruton
Notary Public

Cherokee Nation

Application for
enrollment as
Cherokee Citizens

Jac. Walling
Comanche River

Jesse T. & Andrew
J. Walling

Affidavit of Thomas
J. Walling & Mrs.
Ann Walling

State of Texas
County of Borden

Before me the undersigned author-
ity personally appeared Thomas J. Walling and Mrs.
Ann Walling, who being sworn, on oath depose and say
That Thomas J. Walling (affiant) is eighty five years
old, and a citizen of Borden Co. Tex. and (affiant) Mrs.
Ann Walling is seventy-eight years old, and resides
in Hall County Tex. and deponents further say that
we are personally well acquainted with Jesse Walling
and Andrew J. Walling, and ^{Lewis C. Walling} we were personally well ac-
quainted with Lewis C. Walling - and they are the sons
of Jesse Walling, deceased, who was affiant (Thomas J.
Walling's brother) and affiant, Mrs. Ann Walling -
and the Grand Sons of Leona Chisholm, dec'd. and
Annie Walling (nee Chisholm), dec'd. Leona Chis-
holm being their Mother's Father and Annie Walling
(nee Chisholm) being their Father's mother - Said Leona
Chisholm and Annie Walling (nee Chisholm)
also being brother and sister - That their fa-
ther, Jesse Walling and their mother Ann Walling,
(nee Chisholm) were first-cousins as well as
husband and wife. Said Leona Chisholm and
Annie Walling (nee Chisholm) both died about 1828
They were Cherokee Indian by blood - and were so
recognized by all who knew them, as was also their
father, and also the applicants - Jesse J. and An-
drew J. Walling, and deponents further say that
Lewis C. Walling, ^{and} married Amanda Goodwin,
and that the issue of said marriage was, Lee
Walling and Annie A. Walling. and that the said

Lewis C. Walling, ^{deceased} after word married Mary Ables
and the issue of said marriage was Joey Wall-
ling, and that the said Lewis C. Walling, Lee
Walling, Thomas A. Walling and Joey Walling, are
considered by me as well as all who are well
acquainted with them to be Cherokee Indians
by blood.

Thomas J. Walling, Jr.
Mrs Ann Walling -

Subscribed and sworn to before me this 2nd day
of Sept 1876, and I certify that affiant, Thomas J.
Walling, is a credible person, and I have rea-
son to believe that Mrs Ann Walling is also a
credible person

J. D. Barry, J. P. & ex officio
notary public Bryan Co, Tex.

Geo. T. & Andrew
Walling

Subscribed and sworn to
by Walling & Ann
Walling

State of Texas
County of Eastland }

In the Lane Daws Commission:
We the undersigned J. T.
Walling and M. L. Walling
wife of said J. T. Walling
do make the following
statement concerning
Arthur Lee Walling
whose application is
here attached, that the
said Arthur Lee Walling
is our Nephew and
Grand Son of Jesse
Walling and Great Grand
Son of one Anna Chisholm
whom we believe was
an Indian belonging
to Cherokee tribe of
Indians

Signed

Jess. T. Walling
M. L. Walling

Subscribed and sworn
to before me this 5th
day of Sept. 1896

Thos. H. Dingle
Notary Public
Eastland Co., Tex.

11.22.35
3765

the above note
has been
paid

FILED 9 1896
KENTON

Reed

Received
 of the
 3
 1896

Commission to the Five Civilized Tribes.

I, Wilson O Bruton do solemnly swear that on the 8th
day of Sept 1896, I saw a package registered at the post office at Pahlequah
addressed to St Marys PC
Chief of the Cherokee Nation, Pahlequah Indian Territory,
that Registry Receipt No. 213 received from postmaster, hereto attached, is a receipt for said package, which
contained true copies of the application of Ann Walling, Jesse Thomas Walling, Andrew J Walling and of the
affidavits of Jesse Walling, St. Benton, The Walling and Thos J Walling, Jesse J Walling, M Walling
in support of same. Wilson O Bruton
Subscribed and sworn to before me, on this 1 day of Sept 1896.
Geo. Math.
Notary Public

| REGISTRY RECEIPT. | | |
|----------------------------|--------------------------|------------------|
| Post Office at | | |
| Registered Letter / Parcel | No. <u>213</u> | Rec'd <u>189</u> |
| of | <u>J C Walling</u> | |
| | <u>Comanche Tex</u> | |
| addressed to | <u>St Marys PC</u> | |
| | <u>W A Simpson P. M.</u> | |

Ann Walling

This case was offered to
the Chief in person he had no
time to examine receipts
as agents they were
rejected at his post office
to the Chief Justice

End

3356

Nation's No. 2522

Commission's No

In re Application of

Ann P. Shirley

Demurrer and Answer.

25

A. S. LKENNON

COM 'R'

Before the Honorable, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and
A. E. Montgomery, Commissioners.

In the matter of application of
Answer this by

Nation's No. *2522*
Commission's No. _____

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *J. an*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that *Answer this by*

through whom the petitioner *J. an* claim to demand *this* right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined; that his name
does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hatchings Hastings & Band* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, *21* day of *Sept.* 1896.

John L. Adair
D. J. Ball
NOTARY PUBLIC.

①

John E. Lieber, being first duly sworn says that
he delivered a copy of the application and evidence
in the case of Ann D. Shirley, for citizenship in the
Cherokee Nation, to Hon. E. H. Mayes, Prin. Chief
of the Cherokee Nation, at Tahlequah, P.T. on
the 8th day of Sept 1896

John E. Lieber
Subscribed and sworn to before me this 8th
day of September 1896

A. L. S. Sargo.
Notary Public.

To The Honorable Senate Commission

The application of Ann S. Henderson for citizenship in the Cherokee Nation, respectfully shows:

That she is a Cherokee Indian by blood and has resided in the Cherokee Nation since 1872.

Her mother was a Cherokee Indian resident in the State of Arkansas.

Her grand-mother was a full blood Cherokee Indian.

Her mother's name was Rosanna Shirley, who was lawfully married to the father, of this applicant, James F. Henderson of Rapids Parish La, now deceased. ^{so far as known}

Her Indian relatives are all dead as well as her father.

Since she has resided in the Cherokee Nation, her friends and acquaintances have always recognized and treated her as a Cherokee Indian and have seemed anxious and willing that she should be admitted and enrolled.

That since her sojourn and residence in the Territory, she has met and talked with ~~members~~ of the prominent members and families

of the Cherokee Nation at Tahlequah,
among them Ex-Chief Bushyhead,
Ex-Chief Harris, Col Wm Boudinot,
Del Will Wilson, Buckley Brown and
others, and satisfied them that she
referred to the report of Senator Blount and others in the
House of Indian (Cherokee, blood and the
Whence she prays that she may
be enrolled and admitted as
a Cherokee Citizen.

Ann Shirley Henderson

Seen and subscribed to before me
this 3rd day of September AD 1896.

John R. Lieber
Notary Public.

Justice Peace Hill Parish of Rapides
Cottle Ward) The State of Louisiana

Personally came and appeared before me
Frank D Henderson J Justice of the Peace
for said Ward Parish and State duly
elected commissioned and qualified & acting
under said Commission E. G. Henderson
J. H. James & Wm. C. James residents also
of above named Parish and State who
being duly sworn according to law depose
& say that they personally knew Ann Shirley
Henderson who was born and raised to age
of maturity in Rapides Parish Louisiana
that they know said Ann Henderson was
of Cherokee Indian blood on her mother's
Rosanna Shirley's side, whose father Antoine
Shirley was on mother's side of genuine
pure blood Indian origin and whose father
was French thus making said Ann Shirley
Henderson of Indian extraction (Cherokee
Indian) on her mother's side. We have
continuously known said Ann Shirley Henderson
from early childhood up to the time of her de-
parture from Louisiana to Texas which oc-
curred in year A.D. '85. We have known
of her from that time until recent time through
medium of correspondence by letters received
from her.

Sworn & subscribed before me on
Dec 2d 1892 - Frank D Henderson
Justice Peace

E. G. Henderson
J. H. James
Wm. C. James

State of Louisiana } Office of
Parish of Rapides } Clerk & Recorder

I hereby certify
that Frank J. Henderson is a duly
elected Commissioner and qualified
Justice of the Peace in and for the
Parish of Rapides and State of
Louisiana and that all of his
Acts as such are entitled to full
Credence & belief.

The foregoing being
I have hereunto set my hand &
Seal of Office this 3rd day of January
A.D. 1895 at Alexandria La.

W. L. Kilpatrick
By Clerk & Recorder

No 3269
Application and evidence
Case of
Ann S. Shirley
for citizenship in
the Cherokee Nation

Filed 9 Sept 1896
H. M. Jacobson
clerk

Repealed

~~Application and evidence
Case of
Ann S. Shirley
for citizenship in
the Cherokee Nation~~

Filed by
Nelson Sieber,
Muscokee,
Ind. Ter.

State of Louisiana }
County of }
a Notary Public and for said Parish
and State, duly appointed, sworn and
qualified, came and appeared
Kurtz & Blanchard of the first, La.
& we well know, who being duly sworn
deposed and said:

That he was born and reared in the
Parish of Rapides, Louisiana, on a planta-
tion about three miles from what used
to be the State Jail Office, in said parish.

That when James kept a store at
that place in the years 1854 and 1855 and
prior thereto, and the State Jail Office
was located in his store.

That the store was located in the
Briar (called indifferently Bayou Lafourche
Cottier and Jean-Claude) under the
bell from the Henderson residence.

That he (deponent) attended school
near the Henderson residence and just
above the James' Store, and at the same
time the Henderson and James' children
with deponent and other children in the
neighborhood, attended.

That deponent was ten years of age
and used to ride on
horseback each day from his father's
plantation to attend the said school.

That he became well acquainted

with the children of the Henderson
family and with the children of the
other families attending the school
and residing in the neighborhood.

That he always had heard
and believed that the children of
one of the Hendersons (thinks it was
Robert Henderson) were of mixed blood
- part Caucasian and part Indian
and thus showed it in their ap-
pearance.

That it is understood in the
neighborhood that the name of Indian
blood in the name of the children
tribe.

That as he recollects that mother
was named Shirley and the boy was
named Shirley Henderson, after his
mother's family by the first name.

That the other child with In-
dian blood was a girl and thinks
her name was Ann. Shirley.

That the boy and girl were
somewhat different, as he remembers,
and he thinks it likely they did not
attend school with him at the school
near the James' store, hereafter
mentioned, but believes they attended
school there at a later period with
his younger brother G. H. Stoneham
who now resides near Bryan in
La.

2

That he knew quite well of these
children, and had been told by some
of the neighbors and
from some reports.

That defendant remained in that
part of Louisiana until 1871 when
he removed to Shreveport La where
he now resides.

That the following parties were
living at or near the site of the old
Cottrell's place in La should be
able to give additional evidence in
regard to matters herein set forth,
to wit: Frank D Henderson,
Charles Henderson, E J Henderson,
W C James (son of the former P.M.)
O A Smith, C. E. Blanchard
and H. H. Chas - all of whom
yet then lived at the Pryor's place.

Done & subscribed before
me this 27th of August, A.D. 1896
at New Orleans
C. E. Blanchard

Thomas Charles Bane
Notary Public
C. E. Blanchard, L.

End

3357

No. 3355

at ...

RETURN IN TEN DAYS TO
MARCUM, FEARS & OWEN,
ATTORNEYS AT LAW,
MUSKOGEE, IND. TER.

W. P. ...

Filed Sept. 8. 1896
at Smyrna
Conn

Rejected

Adams.

Office Commission on Citizenship,

Wileyah, C... August 29th, 1887.

| Docket. | No. | Names. | Age. | Sex. | Post Office | Atty. |
|----------------------|-----|----------------|------|--------|-------------|-------|
| | 1 | Mary Adams | 51 | Female | Scullaville | |
| | 2 | John C. Adams | 17 | Male | | |
| 396 | 3 | Powhatan Adams | 10 | Male | | |
| Applicant for | | | | | | 24 |
| Cherokee Citizenship | | | | | | 1887 |
| Roll 1855 | | | | | | |
| Ancestor | | | | | | |
| Delilah Taylor | | | | | | |
| Filed Aug. 29, 1887. | | | | | | |

Office Commission on Citizenship,

Wileyah, C... May 14th, 1889.

Whereas the above named cases the above application for the final hearing. The same having been submitted by the Attorneys for both parties. The application which was filed the 29th day of August 1887, being unsustained by any evidence the Commission decide that the applicant Mary A. Adams, fifty-one years, and her children John C. Adams, male, and Powhatan Adams female, and ten years is not entitled to re-admission to citizenship in the Cherokee Nation by virtue of the Cherokee Blood. Post Office, Rule, Ark.

Attest.

W. G. Ross,
Clerk Com.

Will P. Ross, Chairman
J. Burch Com.
J. E. Hunter, Commissioner.

EXECUTIVE DEPARTMENT OF CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation,

do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation at Tahlequah, this the ____ day of ____ 1896.

Executive Secretary.

Nation's No. **384**
Commission's No.
In re Application of

August Adams
Partner

Demurrer and Answer.

FILED SEPT 9
A. S. MCKENNA
COURT

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cahuness, and
A. B. Montgomery, Commissioners.

In the matter of application of

*Nancy H. Adams
et al*

Nation's No. *55-*

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the
said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy,
and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant *et al*
entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said appli-
cation, says that

Delilah Taylor
through whom the petitioner ~~claim~~ to derive ~~the~~ right
to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since
the removal of said Nation, west to the Indian Territory as at present located and defined, ~~that~~ *that* his name
does not appear on any of the authenticated rolls of said Nation; that neither ~~he~~ *he* nor any of ~~his~~ *his* ancestors now
reside, or ever have resided in the Cherokee Nation and Indian Territory, ~~as set forth~~ *as set forth*

Respondent for a further and complete defense to the aforesaid
application says: That heretofore said applicant made application before
a legally constituted Court or Commission on citizenship, having juris-
diction over applications for re-admission to citizenship in the Cherokee
Nation; that the said case was tried upon its merits; that upon a full
and final hearing, judgment was duly given against the applicant and in
favor of this Nation. A duly certified transcript of the aforesaid pro-
ceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Nichols, Hastings & Bond* Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the
matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the

day of *2*

1896.

NOTARY PUBLIC.

Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

TAMLEQUAH, INDIAN TERRITORY.

Aug 29

1896

Received from

J. H. T. Smith

Guaranteeing

(11) copies of

the following documents, to-wit:

Application of James Williams & heirs - and
affidavits of John & Pearl - James Williams -
Joseph & son - James & son - Cole & son

certified to by J. H. T. Smith as true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes

Commission in support of the claim of

James Williams

for Cherokee citizenship.

By William H. Hutchins

EXECUTIVE SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

DW

Gaveen J. H. P. Smith,
29

Marcy B. Adams & Co

J. H. Smith

29 Aug.

Dwyer

To The Honorable NEWELL L. BATTLE, THOMAS P. ARBUTHNOTT, ARCHIBALD C.

McKENNON, THOMAS P. MURPHY and ALBERT W. MONTGOMERY, United States Commissioners authorized by act of Congress of June 4, 1906, to hear and determine claims for citizenship in the Cherokee Nation:

Your petitioners, the undersigned Walter A. Adams, for and on behalf of herself and her children, John Adams a male age 22 years, and Tamy Adams a female 16 years of age, and John Adams aforesaid in his own behalf and in behalf of his child Gerrish Adams age 2 years respectfully petition your honorable body for admission to Cherokee citizenship.

Your petitioners state that they are Cherokee Indians by blood.

Your petitioner, Walter A. Adams, states that she has resided in the Cherokee Nation for the past nine years, and still resides therein. That she was born in Rayburn County in the State of Georgia; partly raised in that County and partly in Union County in said State.

That her father's name was Isaac Harris, and that her mother's name was Delilah Harris, and her maiden name was Taylor; and that both of her said parents were Cherokee Indians by blood. That she and her children aforesaid were born in lawful wedlock; and that she and her said children and grandchildren reside in said Nation. That neither her parents or the parents of your petitioners ever received any reservation or consideration for their rights as Cherokee Indians in the State of Georgia. That your petitioners came to the Cherokee Nation in good faith, claiming and believing, and still claim and believe that they are Cherokee Indians by blood and entitled to all the rights and privileges of such. *the petitioners herewith attach their proofs upon which they rely and they hereby refer to rely upon the proofs in the case of R. T. Peak & others*

Therefore, they pray your honorable body to grant them citizenship in said Nation and such other relief as may be deemed proper.

- N.A. Adams

- J.B.G. Adams

Subscribed and sworn to before me this 26 day of Aug A.D., 1880.

J.M. Combs

Notary Public.

Indian and Cherokee by blood. Since my earliest recollection it has been taught and repeated and understood in my father's family and among my relatives that we were all Cherokees by blood. I am sixty years of age. I have two children living, John C. L. Adams, and Powhattan Adams. Richard T. Peck's mother and my mother were first cousins; my grand mother's name was Henry Howard and I was named after her. Richard T. Peck's grand mother was a sister of my grand mother, and they were all about 1800 or so living and in the communities where they lived in the State of Georgia to be Cherokee Indians by blood. I was always taught that I was a Cherokee Indian by blood and my parents, and I have been brought up in that belief.

Henry A. Adams.

Witness my hand and seal of office on this 20th day of July, 1888.

H. A. Evans,

Notary Public.

Indian Territory.

Yonkers, N.Y. 21.

I am a resident of Indian Territory, and a recognized citizen of the Cherokee Nation by blood. I was born in Indian Territory. My father was Mr. Hanson, a Cherokee citizen. My father's father, Richard Hanson was a Cherokee and came to this country with the tribe.

I am a resident of Indian Territory, and a recognized citizen of the Cherokee Nation by blood. I was born in Indian Territory. My father was Mr. Hanson, a Cherokee citizen. My father's father, Richard Hanson was a Cherokee and came to this country with the tribe.

His
Carl Hanson
Yonkers

Attest: J. J. [illegible]

Witnessed and signed this 10th day of [illegible] 1900.

J. J. [illegible]
Notary Public.

By Carl Hanson 3/21/00.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
WAGON MOUNTAIN, OKLAHOMA.

On this the 25th day of July A. D. 1900, before me personally appeared Joseph Benson who after being duly sworn upon his oath states,

That he is 70 years of age, and a farmer by occupation, and a resident of Cherokee County District, C. T.. That he is well and personally well acquainted with Nancy A. Adams, and has been for more than fifty years. That she is the daughter of Delilah Harris who was married to John A. Adams and Nancy A. Adams is a cousin of mine and was born by blood, and her mother was a Cherokee Indian by blood who was married in the State of Georgia, and was baptised in the Indian Territory and the people in her neighborhood. That she was married by blood, and that Nancy A. Adams is of Indian blood by blood, and that she is a Cherokee Indian by blood.

Attest to this,

W. A. Adams.

Witness
Joseph X Benson
mark

W. A. Adams,

Wagon Mountain.

W. A. Adams
Wagon Mountain.

Illinois District,
Cherokee Nation, I.T.

On this 9th day of January, 1896, personally appeared before me, J. S. Lucas, a Notary Public for the U. S. Court for the Northern District of Ind. Terr., Richard Hanson, and after being by me first duly sworn on his oath states that he is a Cherokee Indian by blood; that he is about 20 years of age; that he is a Cherokee citizen of unquestionable rights; that he was born in the State of North Carolina; was brought into the Cherokee Nation by his parents; his own father, Mr. Hanson, was a Cherokee Indian by blood, and of unquestionable rights in said Nation and Territory; that he has lived in the Cherokee Nation ever since he was brought here.

Deponent states that his father Richard Hanson frequently said during his life time, (he is now dead) that Mrs. Nancy A. Adams, who now resides in the District of Illinois, Cherokee Nation, I. T., and has for a number of years, and is a claimant for Cherokee citizenship; was his own (2) second cousin to him; and he has heard his uncle Joseph Hanson state that Mrs. Nancy A. Adams is his own 2 cousin. And deponent further states that he verily believes the said claimant Mrs. N. A. Adams to be a Cherokee Indian by blood; and that she is entitled to Cherokee citizenship in the Cherokee Nation as a Cherokee Indian by blood. Deponent further states that his father William Hanson said that deponent's grand father Richard Hanson's name was on the old Cherokee Rolls. And further deponent sayeth not.

Test, J. C. L. Adams
James C. Martin
Witnesses.

Richard Hanson

Subscribed and sworn to before me this the 9th day of January, 1896.

J. S. Lucas, Notary Public.

This day personally appeared before
me this the 20th day of July 1896
Nancy Adams who being first duly
sworn says I am a resident of the
Cherokee nation - I live near
Vian - have lived in said nation
nine years. I was born in
Raytown County in the State
of Georgia & raised in Union
County in said State - My father's
name was Isaac Harris & my mother
was Delia Harris - her maiden
name was Taylor - My father &
mother were both Cherokee
Indians by blood. My mother
& father had the reputation of
being Cherokee Indians by
blood in the community where
they lived in the State of
Georgia such was the general
repute & understanding in
the community where my
parents lived. I am related
to John Peak who was the wife
of James Peak Sr. who was the father
of Richard T. Peak of Cheateau I.T.
Richard T. Peak is the father of
Josh Peak Jr & Clay Peak, Sarah Peak,
Harvey Peak, & ~~Katy~~ ^{Johnny} Peak. My mother &
father were man & wife & lived
together as such. My parents are
dead. I was about thirty years

years of age when I left the State
of Georgia - I was about twenty
nine years of age when my
father & mother died. They died
in Georgia - One died Dec 23rd
1864 & ~~my~~ March 1865 - my mother died
first - my grand father was
named Isaac Harris he was
generally known as a half-
bred Cherokee Indian & was
understood to be a member of
the Cherokee Tribe of Indians
& my father was generally known
to be a one quarter Cherokee
Indian - Both my grand father
& father were black eyed & black
haired & had the appearance
of being Indians in other
respects - their complexion
showed it - my mother was dark
eyed & dark haired & talked the
Cherokee language - she was
also dark complexioned.

The said Isada Peck was the daughter
of Joseph Benson Sr - who died in
the State of Georgia when I was
a child - he was reported to be
an Indian - Cherokee by blood
since my earliest recollection
it has been known & reported
& understood in my father's
family & among my relatives

that we were all Cherokee
by blood - I am sixty years
of age. I have two children
living John L. S. Adams & Peewah
Adams. Richard J. Peaks mother
& my mother were first Cousins
my grand mothers name was
Nancy Benson & I was named
after her. Richard J. Peaks grand
mother was a sister of my grand
mother & they were all reputed
in their families & in the Commu-
-ities where they lived in the
State of Georgia to be Cherokee
Indians by blood. I was always
taught that I was a Cherokee
Indian by blood - by my parents -
& I have been brought up in that
belief -

Nancy A. Adams
Subscribed & sworn before me this
the 20th day of July 1896
L. A. Sears
Notary Public

1840

| | | |
|-------|------------|--------|
| Jan 1 | To Balance | 100.00 |
| Feb 1 | To Cash | 50.00 |
| Mar 1 | To Cash | 25.00 |
| Apr 1 | To Cash | 10.00 |
| May 1 | To Cash | 5.00 |
| Jun 1 | To Cash | 2.50 |
| Jul 1 | To Cash | 1.25 |
| Aug 1 | To Cash | .62 |
| Sep 1 | To Cash | .31 |
| Oct 1 | To Cash | .15 |
| Nov 1 | To Cash | .08 |
| Dec 1 | To Cash | .04 |
| Total | | 200.00 |

Richard

Indian Territory - Northern District.
I have appeared before you
as a witness within and for
said Northern District of said
Territory. I am Thomas who
have been duly sworn deposes.
I am a resident of Illinois
and am a recognized
citizen of the Cherokee Nation
by blood. I was born in Flint
District and father was Wm. Thomas
a Cherokee citizen. My father's
father Richard Thomas was a
Cherokee & came to this country
with the tribe.

I am acquainted with Nancy
Ann Adams who is an appli-
cant to citizenship in the Cherokee
Nation. I have after heard my
father Wm. Thomas say that said
Thomas Ann Adams & himself were
cousins by blood. That
Joseph Thomas and Nancy Thomas
were Cherokee and were brother
and sister that the Wm. Thomas
was a grand child of said Joseph
Thomas and that said Elizabeth
Thomas Ann Adams, was a
grand child of said Nancy Thomas

Atticus J. Johnson

Abstract from page 10

Indian Territory ?
Northern District ?

Personally appeared
before me Richard J. Peck who
after being duly sworn deposes
and says my age is 66 years
Post Office address Choteau I.T.

I am personally acquainted
with Nancy A. Adams. Have
known her all my life. was
raised in the same neighborhood
in Georgia. She is a daughter
of Delia Hamer and a grand
daughter of Nancy Henson who
was a Cherokee Indian by blood
and was so recognized and
regarded by her acquaintances
and all who knew her family.
Said Nancy A. Adams is a
daughter of Richard Henson
who was a recognized Cherokee
Indian by blood. She is also
a cousin of Joseph Henson
who is a Cherokee Indian by blood
and a recognized Cherokee Citizen
and now resides in Gasconade
Co. at Claremont I.T.

Richard J. Peck

Subscribed and sworn to before
me this the 18th day July 1896.

J. A. Sears
Notary Public

affidavit of
Richard J. Pease
— " —
Nancy A. Adams
— " —
3.

Application for
Cherokee citizenship

Nancy A Adams others
Petitioners

Evidence of
Petitioners

Page 13

United States of America

Indian Territory

Northern District

On this the 25th day of July A.D. 1896

before me personally appeared Joseph
Henson who after being duly sworn
upon his oath states

That ~~that~~ is 76 years of age and a
farmer by occupation and a
resident of Cooweescoowee District - Ch.
That he is well and personally ac-
-ainted with Nancy A. Adams and
has been for more than fifty years
and know that she is the daughter
of Delilah Harris who was Delilah
Taylor. That the said Nancy A. Adams
is a cousin of mine and a Cherokee
by blood deriving the same from
her mother who was a Cherokee
Indian by blood who was raised
in the state of Georgia and was
reputed by all of her family and
all the people in her neighborhood
That I am a Cherokee Indian by
blood and that Nancy A. Adams is
of blood relation to me and that
she is a Cherokee Indian by
blood

Attest to mark

Malinda Lane

Joseph ^{his} Henson
Alfred M. Callaway
Notary Public

My Commission Expires
February 5 1900

End

7

**END
OF
REEL**

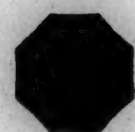
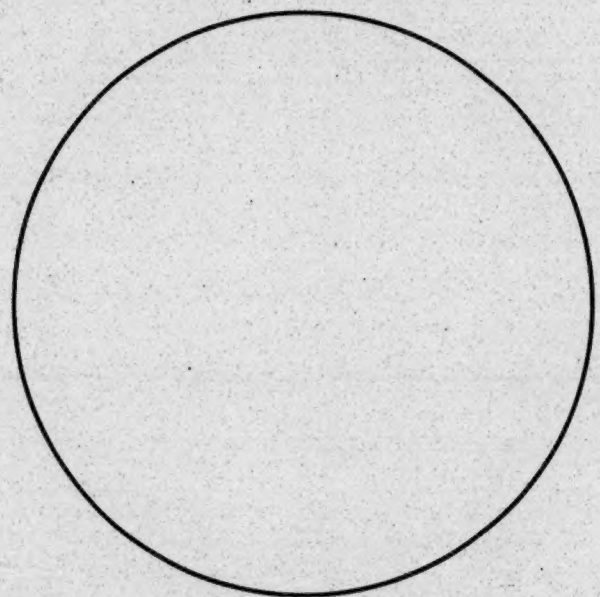


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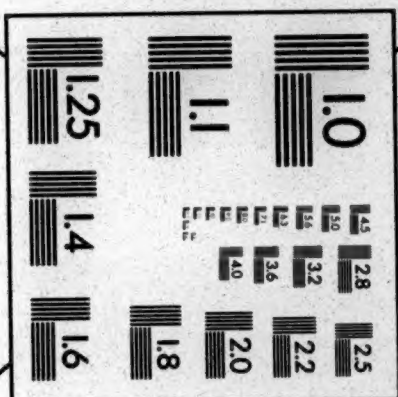


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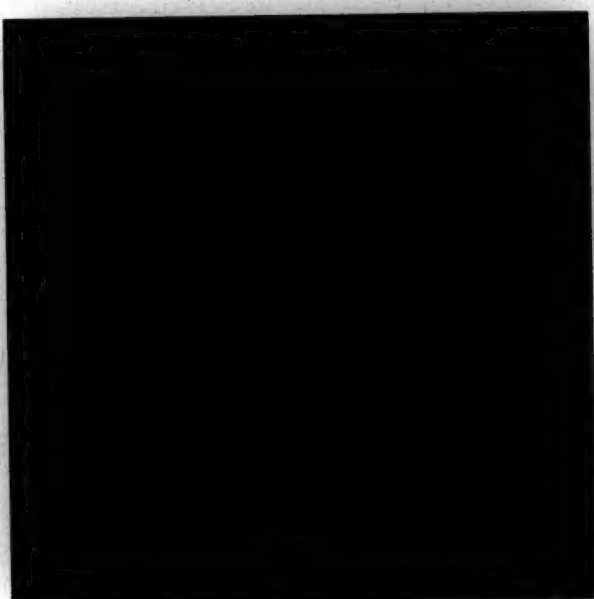
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SERIF (BASKERVILLE) SIZE SANS SERIF (MICROFONT)



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